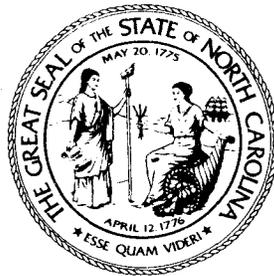


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1984

# **REPORT OF THE PUBLIC EDUCATION POLICY COUNCIL**



**REPORT TO THE  
1983 GENERAL ASSEMBLY  
OF NORTH CAROLINA  
1984 SESSION**

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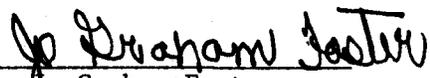
June 1, 1984

TO THE MEMBERS OF THE 1983 GENERAL ASSEMBLY  
(Regular Session 1984):

The Public Education Policy Council herewith reports to the 1983 General Assembly (Regular Session 1984) under the authority of Chapter 860 of the 1983 Session Laws (House Bill 1307).

Respectfully submitted,

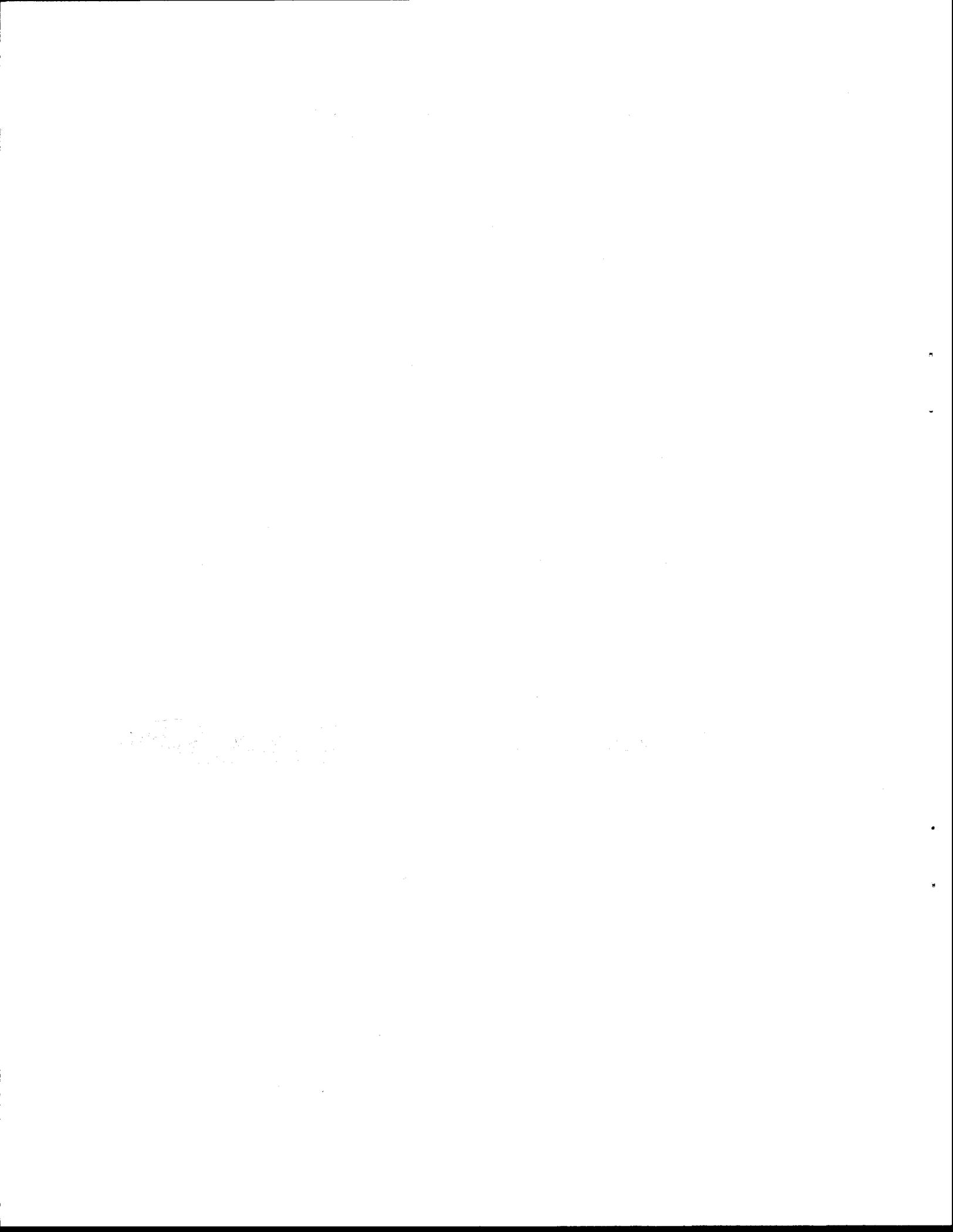
  
Robert D. Warren

  
Graham Foster

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Public Education Policy Council

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## COMMITTEE PROCEEDINGS

Chapter 860 of the 1983 Session Laws (House Bill 1307) created the Public Education Policy Council and required that the Council report to the 1984 Session of the 1983 General Assembly as well as to the 1985 General Assembly before ceasing to exist on December 1, 1984. The enabling legislation (Appendix A) also called for the Council to "study the fiscal and operational functions of the Department of Public Education (State Board of Education, Office of the Controller and Department of Public Instruction) and the responsibilities of the several State and local agencies and units of government that share responsibility for the system of public schools." House Bill 1307 also provided that the Council's study was to "include public school laws as well as policies, procedures, philosophy and educational programs of the Department of Public Education and their application."

Formation of the Public Education Policy Council resulted in part from the investigation and recommendations of the Select Committee to Study the Department of Public Education, created in 1982, as well as increased attention which had been focused on public schools by a number of state and national task forces and commissions, notably the reports of the National Commission on Excellence in Education and the National Task Force on Education for Economic Growth (later followed by the North Carolina Commission on

Education for Economic Growth). The enabling legislation also noted the portion of North Carolina's general fund tax revenues (75 to 80 per cent) which is spent "in support of education at all levels and through various agencies" in justifying the need for the Council's study. In addition, the need for participation by many in the governmental and educational communities was cited in the bill as a basis for inclusion of a large number of members representing various groups and officials. As a result, the Council included 47 members falling into four groups:

1. Legislative appointees (20);
2. Gubernatorial appointees (11);
3. Specific public officials or their representatives, including the Lieutenant Governor, State Treasurer, Superintendent of Public Instruction, Chairman of the State board of Education, Chairman of the Board of Governors of the University of North Carolina and Chairman of the Board of Community Colleges (in all, six); and
4. Representatives of groups involved in public education, including the Associations of County Commissioners, School Administrators, Educators, Educational Office Personnel and Classroom Teachers as well as the School Board Association, the N.C. Federation of Teachers, the Principals/Assistant Principals Association, the

Congress of Parents and Teachers and the Advisory Council on Education (in all, 10).

Because of the complexity of the subject matter, the amount of material to be considered and the number of members, the Council divided itself, at its first meeting, into three committees of 15 members each: Personnel, Governance and Finance. The full Council met on three occasions, as did the Finance Committee. The Personnel and Governance Committees each met four times.

At its second meeting, the Council adopted two basic statements of policy, the latter being Section 15 of Article 1 of the Constitution of North Carolina:

"It is the policy of the State of North Carolina to create a public school system that graduates good citizens with the skills demanded in the marketplace, and the skills necessary to cope with contemporary society, using State, local and other funds in the most cost-effective manner."

2. "The people have a right to the privilege of education and it is the duty of the State to guard and maintain that right."

At its final meeting on March 27, 1984, the Council reviewed the recommendations of the three committees. In addition to amending and adopting the recommended statements of policy in the three areas dealt with by the committees (Finance, Personnel and Governance), the Council redrafted several overlapping statements of policy recommended by the committees on Finance and Personnel into a single

recommended statement of policy in the area of curriculum. In addition, the Council considered and adopted a recommendation that a resolution be offered in 1984 calling on the 1985 General Assembly to devote the first 20 legislative days of the 1985 Session to consideration of the issues raised by the Council as well as by other commission, panels and task forces. (See Governance)

The remaining sections of this report contain the Council's findings and recommendations in the four areas of policy considered:

## GOVERNANCE

The present system by which North Carolina's system of public elementary and secondary schools is governed has caused steadily increasing concern in recent years. No other governmental institution in the state, at the local level or at the state level, involves an appointed governing board, a popularly elected chief administrative officer and a chief fiscal officer who is not directly responsible to the chief administrative officer. The result has been steadily increasing confusion as to who is responsible for and who speaks for public elementary and secondary education in North Carolina. Attempts to solve the problem through piecemeal statutory changes, through appointments or through closer personal relationships among the principals have only further confused or obscured the basic structural problem.

In the course of its discussions, the Council identified several specific problems and issues:

1. The need to clarify confusion in North Carolina's public school laws. One effect of piecemeal attempts to deal with the state's governance conflicts has been a proliferation of statutes which have further confused the issue. To clearly define the governance system and clarify responsibilities, a review of statutes relating to public schools is necessary. Such a review should be conducted

with the objectives of reducing the number of laws concerning public education, determine which laws should rather be regulations (and what bodies should have regulatory authority), and determine what effects the statutes have on the burden carried by local school administrative units.

2. The need to promote sound management and assign clear lines of authority and responsibility in our system of educational governance, to create lines of authority that enhance rather than block efforts to delivery quality education.

3. The need for the General Assembly, as the ultimate state-level policy making body, to review the state's elementary and secondary school structure in detail, and to review in context the many proposals for change and reform of that system and its components. The plethora of commission and task force reports which have been issued in recent years, and the fact that 75 to 80 per cent of the state's general fund revenues are spent on education suggest the necessity of a thorough examination and understanding by the state's leading policy makers. Only through such a review can a consensus evolve as to appropriate lines and levels of responsibility for our public elementary and secondary schools.

4. The need to create a governing authority that reflects input from (and responsiveness to) the General Assembly, as the top policy making body in the state as well as from the executive branch. The need to eliminate

political influence in educational decision making or governance, or to balance that influence which remains inevitable, was clear to the Council from the outset. To be effective, any board created to govern our elementary and secondary education system must include representation from all sectors.

5. The need to maintain and expand grass roots participation in the governance system. As participation by both executive and legislative branches of state government is necessary for an effective system of governance, so too is participation by the citizens of the state.

6. The need to reduce or eliminate any potential for conflict of interest on the part of those involved in educational governance.

The Council's Governance Committee considered a number of these issues as it reviewed governance models. After a review of North Carolina's present system and its evolution and an examination of governance models in other states, the committee looked closely at six possible models. The model upon which the committee agree, and which the full Council adopted as a recommendation to the General Assembly, is outlined below as are additional recommendations adopted by the Council to deal with the other problems noted above.

#### GOVERNANCE RECOMMENDATIONS

1. The Council recommends that the General Assembly adopt the following policy:

"It is the policy of the State of North Carolina that the State Board of Education be the principal voice for elementary and secondary education in this State. To this end, the House and Senate Standing Committees on Education shall jointly undertake a review of the statutes pertaining to public education with the objectives of reducing in number the laws concerning public education, and determining which of the remaining statutes should be redefined as regulations of the State Board of Education. The committees are further directed to analyze the effect of the laws in regard to demands placed on local school administrative units. In the analysis, the committees shall determine directly from employees of local school units what reports are required and the attendant costs in time and money.

"The Legislative Services Officer and the State Board of Education are directed to provide staff assistance in preparing recommendations for reducing the number of statutes. These recommendations shall be available not later than February 1, 1985 and should be reviewed by the House and Senate Standing Committees on Education during the 1985 Session of the General Assembly.

"This review should be completed and recommendations for corrections and deletions presented

to the 1985 General Assembly not later than 1 May 1985."

Legislation introduced in 1983 (Senate Bill 143, See Appendix D) calls for such a review. The Council recommends that the General Assembly ratify this legislation with appropriate amendments to reflect action in 1984 and a report in 1985.

2. The Council recommends that the Senate and House of Representatives of the 1985 General Assembly, sitting as committees of the whole, consider the various proposals for change and reform of North Carolina's public elementary and secondary school system and its components. See Appendix E.

3. The Council recommends that the General Assembly enact legislation calling for a statewide referendum on a new system through which to govern North Carolina's public elementary and secondary school system. See Appendix F. The proposed system should incorporate the following elements:

A. A 21-member State Board of Education to include:

(1) Eight members appointed by the Governor, one from each of the state's educational districts;

(2) Eleven members elected by the General Assembly, one from each of the state's congressional districts (see below);

(3) The Lieutenant Governor and State Treasurer;

B. Four-year terms for Board members, with a two-term

limit;

- C. Provisions requiring those who are appointed or elected to the Board to resign any position which might cause a conflict of interest;
- D. A State Superintendent of Public Education to be appointed by the Board;
- E. A Controller to be appointed by the State Superintendent, subject to the approval of the State Board;
- F. A nominating process through which local boards of education, through county boards of commissioners, shall submit names of those to be selected by the General Assembly as members of the Board.

See Appendix G.

## CURRICULUM

G.S. 115C-81(a) requires the State Superintendent of Public Instruction to recommend, and the State Board of Education to adopt, "a standard course of study for each grade in the elementary school and in the high school," and authorizes the Board to "establish a program of continuous learning based upon the individual child's need, interest, and stages of development..." Much of the confusion over what level of government should assume responsibility for which elements of the educational program has been the result of failure at all levels to understand, agree upon and articulate a basic education or standard course of study for which the State is responsible. The Council recognized that only through efforts to identify and define the elements of the standard course of study will we then be able to clarify responsibility (financial and otherwise) in relation to these elements. As a result, the Council recommends that the General Assembly adopt the following policy:

"It is the policy of the State of North Carolina to insure a quality education to every child in North Carolina, regardless of where the child resides. To this end, the General Assembly directs the State Board of Education to develop a standard course of study to be offered to every

child in North Carolina public schools and to submit the proposed standard course of study to the General Assembly by December 1, 1984.

"The standard course of study shall reflect a rigorous academic course of study stressing mastery of integrated knowledge based on mastery of competencies in the basic skill areas rather than the study of isolated disciplines. To this end, the State Board of Education is directed to undertake a statewide audit of current curricula and to refine the curricula as required to comply with this policy. The proposed standard course of study shall stress mastery of integrated knowledge, should provide students with the specific competencies needed to gain employment or to continue their education, and should provide students with the skills necessary to cope with contemporary society. The proposed standard course of study shall contain a vocational education component designed to meet the State's anticipated career training needs.

"The standard course of study shall include, but not be limited to, a core curriculum for all students plus additional elective curriculum choices to meet the varied needs and interests of students. The program shall establish a minimum length of the instructional day; shall prescribe standards for student performance and promotion with remediation to begin before entering the fourth grade; shall provide for guidance counselors in all elementary schools;

and shall describe staff ratios with particular attention to adequacy at the Kindergarten - Grade Three levels.

"The proposed plan for the standard course of study shall specify maximum class sizes for each course required by the standard course of study; staffing requirements to support the standard course of study, to include minimum staffing for schools, regardless of size, where such schools are determined to be essential to serve pupils located in isolated geographic areas; facility requirements for the standard course of study; material requirements for the standard course of study; and such other information the Board finds necessary to enable the General Assembly to allocate appropriate resources to implement the plan adopted.

See Appendix H.

## FINANCE

North Carolina law has required the State to provide funds to operate public schools and local government (counties) to provide capital funds. Over the years, however, confusion has increased as to these responsibilities. Three factors have increased this confusion in recent years: (1) an erosion of support from federal sources, fund which heretofore had been channeled primarily to the poorest communities and had thus softened the effect of unequal ability to pay; (2) a gradual reduction in the proportion of the total education bill paid for with State resources; and (3) an accompanying increase in the level of local support for public schools; support which is, of course, based on the local community's ability to pay.

In the course of discussions, the Council identified several specific problems and issues in the public school finance area:

1. The need to clarify lines of responsibility, to determine elements of the standard course of study and then determine appropriate responsibility for these elements. (See Curriculum.)

2. The problem of State-mandated programs or standards for which the State has failed to make available sufficient resources. Examples include:

- a. class size requirements, grades K-3,
- b. the requirement that each school unit employ a school finance officer,
- c. the requirement for a 30 per cent matching local contribution for vocational education programs,
- d. high school textbooks and other instructional supplies,
- e. programs for exceptional children, and
- f. the need for a maintenance supervisor in each school administrative unit.

3. The need to substantially increase the base salary of teachers.

4. The need to eliminate the inequity and inefficiency resulting from categorical funding and to provide for increased consolidation of line items and block grant funding consistent with clear standards and the standard course of study.

5. The need to eliminate the inequities resulting from funding on the basis of previous or projected average daily membership. Funding on the basis of the best three of the first four months ADM in the previous year causes dislocation, budgetary difficulties, and hardship for those school administrative units that are increasing enrollment. Funding on the basis of projected enrollment penalizes those systems that are losing students but that have fixed costs and the need to budget for the upcoming year. To arbitrarily pick either system results in hardship for some units.

## FINANCE RECOMMENDATIONS

1. The Council recommends that the General Assembly direct the State Board of Education to develop a standard course of study in order to clarify funding responsibilities for the elements of the course of study. (See Curriculum Recommendations.)

2. The Council recommends that the 1983 General Assembly, Regular Session 1984:

- a. substantially increase the base salary of teachers by an amount to be determined by the General Assembly,
- b. appropriate sufficient funds to the public schools based on the best continuous three of the first four months' average daily membership in each local school administrative unit for either the prior year or the projected year, whichever is higher (\$6 million),
- c. increase the textbook allocation for grades 9-12 from \$9 to \$20 per student (\$3.6 million),
- d. fully fund a finance officer for each local school administrative unit as required by G.S. 115C-435 (\$3.55 million),
- e. fully fund a director of maintenance for each local school administrative unit (\$2.2 million),
- f. assume full funding of the local matching

requirement for all vocational education programs (\$35 million), and

- g. increase state funding for special education programs (amount subject to later determination).

3. The Council recommends that the 1983 General Assembly, Regular Session 1984, provide increased budget flexibility to schools by authorizing the State Board of Education to consolidate various line items and allot funds to public schools for two broad functions, i.e. (1) administrative support personnel shall comprise budget lines for associate and assistant superintendents and supervisors; and (2) instructional supplies shall be allotted on an equal per pupil basis for all grades.

4. The Council recommends that the General Assembly seek a more equitable funding arrangement for utility, energy and transportation costs in 1985-86.

5. The Council recommends that the General Assembly adopt the following policies:

- a. "To insure a quality education for every child in North Carolina, and to assure that the necessary resources are provided, it is the policy of the State of North Carolina to provide from State revenue sources all instructional expenses for current operations of the public school system as defined in the

standard course of study adopted by the General Assembly of North Carolina."

- b. "It is the general policy of the State of North Carolina that the facilities requirements for a public education system will be met by county governments."

6. The Council recommends that the General Assembly, by its actions in 1984, further clarify and delineate the specific financial responsibilities for the public schools to be borne by State and Local Governments in the 1985 Session.

See Appendix H.

## PERSONNEL

Public elementary and secondary education is a labor intensive system. Employee salaries and benefits consume about 80 cents of the educational dollar. Recognizing the critical importance of people to the system, the Council looked closely at the mechanisms through which we attract, protect, retain and compensate teachers and other educational personnel. The Council's Personnel Committee invited and heard testimony relating to the method through which the state accredits institutions which prepare educators. The committee also looked at the state's certification system, the way our "Fair Employment and Dismissal Practices (Tenure) Act" is administered, our system for evaluating personnel, and the salary and fringe benefit package for educators.

In the course of this testimony and the accompanying examination, the Council identified several needs which must be met if the state is to maintain and improve the quality of personnel in elementary and secondary education:

1. The need to attract the best and the brightest people at the entry level and assure that they are exposed to the best possible career preparation programs.

2. The need to provide for excellent retraining or inservice programs which either correct deficiencies that

come to light through the system of performance appraisal or evaluation or enable professional educators to develop new skills in order to enable them to enter different fields.

3. The need to adequately compensate school personnel. The salary schedule (more properly, the total compensation system) should support a reasonable lifestyle, satisfy the individual's need for security at retirement, provide protection from financial crisis caused by illness or accident, assist in recruiting and retaining quality people, and provide incentives and indices for self-evaluation and goal setting. The current salary schedule fails to assist in retaining capable teachers, encourages mediocrity, is structured to retain marginal teachers, contains few incentives and generally does not support personal goal-setting and evaluation. Under the current salary schedule, the most marginal teacher is paid the same as any other. There are no steps in the current salary schedule to provide personal goals, and there is no formal way to use demonstrated expertise in classroom job descriptions. Also, there is little room for reciprocal evaluation between teachers and the administrative unit. There is no provision for self-improvement with reasonable compensation during the first decade of employment. In addition, the current salary schedule is inflexible and thus does not enable local governments to respond to local conditions within their resources. The foregoing criticisms of the current teacher salary structure are damaging enough, but there are two overriding flaws which cannot be ignored.

First, the salary schedule begins at too low a level, as evidenced by the continuing decline in the quality of entry-level teachers. Second, the current schedule lacks enough steps. It is complete after the tenth year of a 25 to 30 year career. The state must take corrective measures if our public elementary and secondary school system is to compete with the private sector for quality people.

4. The need to encourage lateral entry into our public elementary and secondary schools by skilled individuals from the private sector, while assuring that these individuals meet appropriate standards applied to other professional educators.

5. The need to build into the career pattern of professional educators a set of incentives (other than just material rewards) and status: for achievement; exceptional performance, and willingness to accept additional responsibilities. The Council recognized the existence of an informal system of differentiation among educators. This informal differentiation is used by all to decide classroom assignments, supervisory responsibilities, leadership roles, fiduciary responsibilities, and to make many other personnel decisions. It should be formalized to the extent necessary to provide incentives and status so as to keep and recognize top flight people and recognize specific competencies which improve the overall system.

6. The need to develop a compensation based, at least in part, on the system of differentiation. Differentiation

and differential pay are interdependent. Teacher differentiation is a method of identifying desirable characteristics and capabilities developed during long practice of the profession. Differential pay, in part, is a method of rewarding differentiation. Therefore, pay differential is based, in part, on teacher differentiation in recognition of superior performance over time. Differentiation should be the basis of the compensation system for elementary and secondary educators. Differentiation should be based on performance over time, measured by standardized evaluation routinely administered by trained and competent administrators and by peers who have reached a level of differentiation which enables them to competently and credibly participate in the evaluation process.

Two other factors relating to salaries of classroom teachers are elements which cannot be determined by the State with any degree of confidence: subject matter or teaching area and the geographical location of local school administrative units. Both substantially affect the supply and cost of teachers. The Council recognizes that salary cost elements are affected by variable teacher supply, as determined by subject matter and geographical variations, and that these elements must be addressed.

7. The need for a system of performance appraisal or evaluation to determine quality, a system that involves competent and credible administrators with classroom experience as well as peer participation by those who have

demonstrated competencies over time. Performance evaluations should accurately reflect true competencies over time. The principal ingredients that lead to superior performance over time seem to be: (1) the teacher's knowledge of the subject matter relative to the class level being taught, (2) adequate contact time between the teacher and each student, and (3) a unique, individual ability to transfer knowledge and to challenge a student's abilities.

8. The need to assure competence and credibility among school administrators. One of the key elements in any performance evaluation system is the credibility and competence of the evaluator. Classroom teachers, and their associations, have a legitimate quarrel with performance evaluations from unqualified personnel. The Council recognized that to have credibility among professionals, one must be a professional; and, that to lead classroom professionals, one must have been an exemplary classroom professional. School principals set the standards and attitude within a school and, to a large extent, dictate the performance of a school. With this in mind, the Council finds that candidates for principal must not only have advanced formal training in education administration but that they should have demonstrated superior performance, over time, in the classroom. This combination of superior performance over time, and advanced formal education specifically designed to train teachers to be principals, is requisite to confidence

in the system of performance evaluation and teacher differentiation.

The state has eliminated the requirement for State approval of the superintendents of each local system. If a local school board is to have responsibility for the performance of its system, it should have the authority to decide who the superintendent of that system is to be. However, to insure a measure of consistency statewide, it should be the prerogative of the State Board of Education to prescribe minimum standards for superintendent candidates.

9. The need to recognize and meet basic needs of local school administrative units for non-certified support personnel in the most efficient and cost-effective manner possible.

#### PERSONNEL RECOMMENDATIONS

1. The Council recommends that the General Assembly adopt the following policies in order to attract the best personnel available, provide the best possible training and enable qualified persons from outside the public schools to enter the system under controlled conditions:

- a. "It is the policy of the State of North Carolina to maintain the highest quality teacher education programs in order to enhance the competence of professional personnel certified in North Carolina. To the end that teacher preparation programs

are upgraded to reflect a more rigorous course of study, the State Board of Education shall submit to the General Assembly not later than November 1, 1984 a plan to promote this policy. The State Board of Education, as lead agency in coordination and cooperation with the University Board of Governors, the Board of Community Colleges and such other public and private agencies as are necessary, shall continue to refine standards for approval of institutions of teacher education, standards for institution-based innovative and experimental programs, standards for implementing consortium-based teacher education, the several certification requirements and for improved efficiencies in the administration of the approved programs."

- b. "It is the policy of the State of North Carolina to encourage entry into the teaching profession by those who are prepared to teach in those areas where teachers are most needed. To this end, the State Board of Education shall recommend to the General Assembly by November 1, 1984 a method of providing loan and scholarship assistance to prospective teachers in areas of anticipated shortage.

This recommendation shall include, at least, the anticipated needs, the level of funding and a mechanism to evaluate the results of the program."

c. "It is the policy of the State of North Carolina to encourage lateral entry into the profession of teaching by skilled individuals from the private sector. To this end, before the 1985-86 school year begins, the State Board of Education shall develop criteria and procedures to accomplish the employment of such individuals as classroom teachers. Regardless of credentials or competence, no one shall begin teaching above the middle level of differentiation. Skilled individuals who choose to enter the profession of teaching laterally may be granted a provisional teaching certificate for no more than five years and shall be required to obtain certification before contracting for a sixth year of service with any local administrative unit in this State."

2. The Council recommends that the General Assembly adopt the following policies in order to retain and reward top quality personnel and encourage career development, enhancement and status:

a. "It is the policy of the State of North Carolina to encourage differentiation of classroom teachers. The State Board of Education shall consult with local boards of education, on a continuous and

systematic basis through a process designed by the State Board to assure participation on the part of a number of local boards of various sizes throughout the state and, after the consultation process, shall adopt a policy defining at least five categories of differentiated staffing for classroom teachers. In addition, the State Board shall consult with such other public and private agencies, organizations and professional organizations as it deems necessary to accomplish this policy.

The State Board may pilot test this career growth program for classroom teachers in at least one school administrative unit in each of the eight educational districts of the State during the 1984-85, 1985-86 and/or 1986-87 school year and shall recommend a system of differentiation to be applied consistently throughout the State beginning in the 1987-88 school year. This recommendation shall be submitted to the General Assembly on or before December 1, 1986.

Criteria for differentiation shall include performance and may include such other criteria as the State Board of Education deems necessary; such as degree obtained, number of subjects taught, number of classes taught, number of students taught in a school day and time in service.

The State Board of Education shall recommend to the General Assembly by December 1, 1986 a program to remedy deficiencies and difficulties revealed through the evaluation process required by G.S. 115C-326, and to develop new skills on the part of classroom teachers.

The functions of the Personnel Administration Commission for Public School Employees, established by G.S. 115C-327 and described in G.S. 115C-328, are transferred to the State Board of Education to assure that the State Board is the sole State agency responsible for implementing this policy.

In order to enhance significantly the quality of continuing education programs for currently certified teachers between the seventh and twelfth year of service, each classroom teacher shall be afforded twelve (12) months of sabbatical leave for self improvement at full pay less the local variable component, under the condition of three contract years of employment in the public schools of North Carolina immediately following the sabbatical period; provided, that teachers whose initial employment occurred during the period beginning with the 1968-69 school year through the 1973-74 school year, and who have been employed continuously since their initial employment, shall

have the opportunity to apply for twelve (12) months of sabbatical leave during the first three years of the program.

The State Board of Education, after consultation with local boards of education, shall develop such personnel policies as are required to ensure a coherent progression through the system of differentiation by those classroom teachers who elect to participate in the system of differentiation. The State Board shall develop personnel policies which prevent imbalances at any level of differentiation. If there is evidence of an imbalance or abnormality in the distribution of performance evaluations administered pursuant to G.S. 115C-326 and/or classroom teacher differentiations created and administered pursuant to this section, the State Board of Education shall be empowered to review performance evaluation and staffing patterns of a local school administrative unit to ensure reasonable distribution of performance evaluations and classroom teacher differentiations."

- b. "It is the policy of the State of North Carolina to provide in-service training for public school employees. To this end, the State Board of Education shall recommend to the General Assembly not later than November 1, 1984 a program of

expanded on-the-job training for public school employees. This recommendation shall include, at least, individual training goals, the level of funding and a mechanism to evaluate the results of the training efforts."

- c. "It is the policy of the State of North Carolina to allow lateral transfer between school administrative units in the State by competent professional personnel, at the same level of differentiation. To this end, before the 1987-88 school year begins, the State Board of Education shall develop criteria and procedures to enable these persons to transfer without being penalized by loss of attained status."
- d. "It is the policy of the State of North Carolina to enhance the teaching profession by providing teachers with career opportunities that do not remove them from the classroom. To this end, it is the policy of the State to encourage the development and implementation of a professional salary schedule that complements the system of differentiation."
- e. "It is the policy of the State of North Carolina for the salaries of professional educators in elementary and secondary education (K-12) to be based upon performance, degree attained, differentiation and the needs of the local school

administrative unit. Performance shall be measured by standardized evaluations which are routinely administered pursuant to G.S. 115C-326 by competent and trained administrators who have themselves demonstrated meritorious performance in the classroom. Differentiation shall be based upon superior performance over time plus other responsibilities. The needs of the local school administrative unit shall be defined by the local board of education and the funds to meet those needs shall come exclusively from the local government. Needs of the local school administrative unit over and above the standard course of study shall be defined by the local board of education exclusively funded from revenues provided at the discretion of the board of county commissioners or from other local funds under the control of the local board of education."

- f. "It is the policy of the State of North Carolina to begin, in the school year beginning in 1987, a differential salary system based upon performance, differentiation, local availability of classroom teachers, geographical location of the employing local school administrative unit and such other factors as the local board of education shall deem necessary. Each salary may include a local variable component, determined locally and based

upon the needs and condition of the local school administrative unit. This local variable component shall be paid from local revenue.

The State Board of Education shall develop and recommend to the General Assembly, not later than March 1, 1987, a differential salary system consistent with this section.

Notwithstanding the above, teachers employed under the system of employment for public school teachers, G.S. 115C-325, in effect prior to ratification of this act, shall be afforded the opportunity to elect to continue under the system of employment provided in G.S. 115C-325 and continuing under the salary schedule in existence at that time. They shall have the alternative of electing to change their conditions of employment to come within the system outlined in this section. This election shall be made on or before signing employment contracts for the 1988-89 school year, employees whose initial contracts are for the 1987-88 or subsequent school years shall be employed under the employment system contained in this section."

See also Finance Recommendation.

3. The Council recommends that the General Assembly adopt the following policies in order to assure a competent and credible corps of public school administrators:

a. "It is the policy of the State of North Carolina that, subsequent to the adoption of a system of classroom teacher differentiation and prerequisite to candidacy for principal, a classroom teacher must have attained at least the second level of differentiation, have at least four years of classroom teaching experience, and possess, at least, a Masters Degree in Education Administration. The State Board of Education shall develop and recommend to the General Assembly by November 30, 1986 a quality assurance program for all administrators, similar to the program for beginning and experienced teachers, in order to provide principals and superintendents with opportunities to develop effective management skills. In the development of this recommendation, the State Board of Education shall consult with local boards of education, on a continuous and systematic basis, through a process designed by the State Board to assure participation on the part of a number of local boards of various sizes throughout the State. In addition, the State Board shall consult with and/or employ such public and private agencies, organizations and professional organizations as it deems necessary to accomplish this policy."

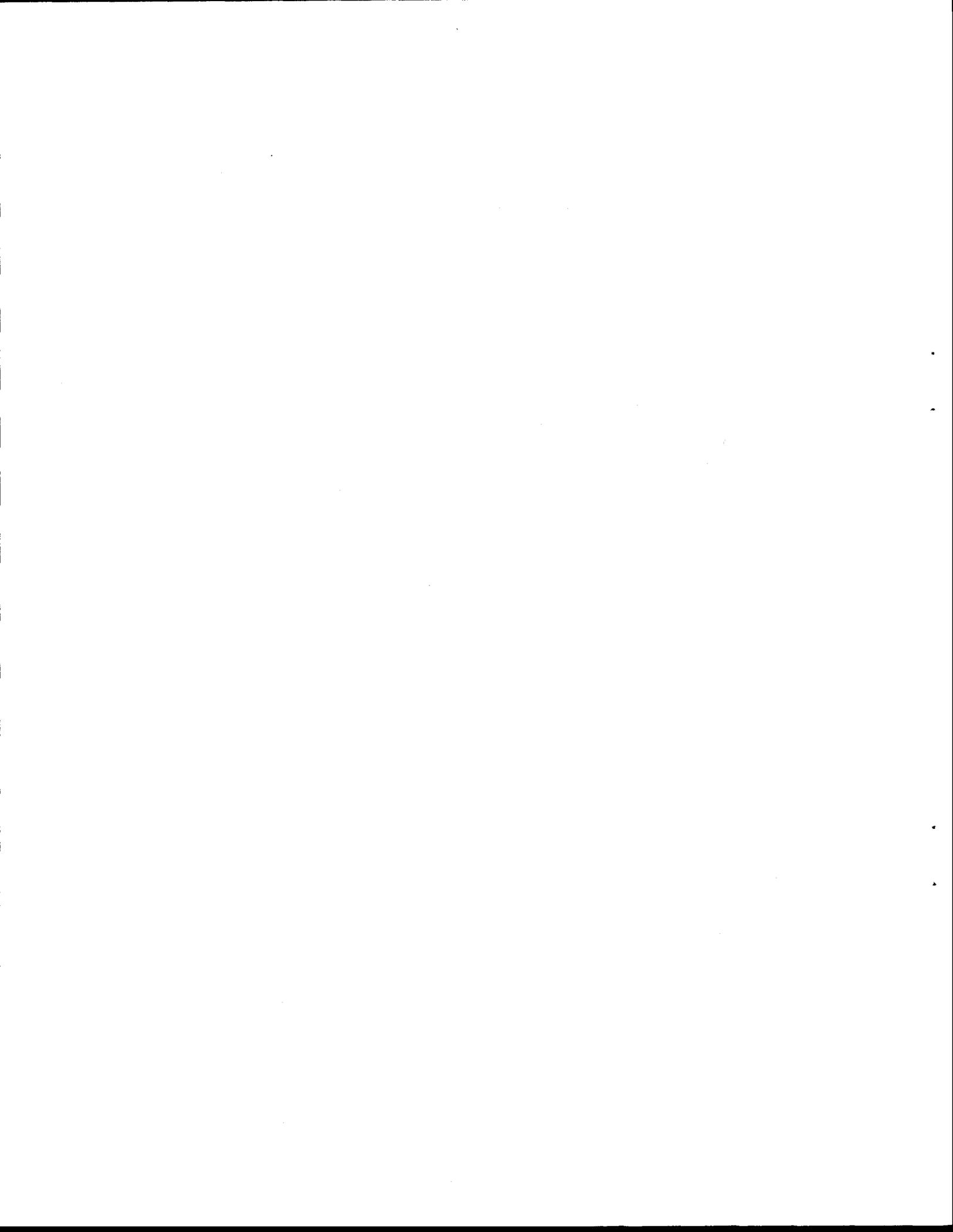
b. "It is the policy of the State of North Carolina

that a candidate for superintendent of a local school administrative unit must have been, at least, a principal in a North Carolina public school and have such other credentials and educational prerequisites as the State Board of Education shall prescribe. Candidates for superintendent of local school administrative units who have not served as principals in North Carolina public schools must satisfy the State Board of Education that they have at least equivalent experience. The State Board of Education is directed to promulgate prerequisites for candidacy for superintendent not later than January 1, 1985."

4. The Council recommends that the General Assembly adopt the following policy to meet the needs of local school administrative units for non-certified support personnel in an efficient and cost effective manner:

"It is the policy of the State of North Carolina to encourage and provide for the most efficient and cost-effective method of meeting the needs of local school administrative units for non-certified support personnel. To this end, the State Board of Education shall recommend to the General Assembly by February 1, 1985 a system using factors and formulas to determine the total number of non-certified support personnel allotted

to local school administrative units. The recommended system for allotting non-certified support personnel shall include the proposed state's funding obligation for these positions and shall be developed in consultation with school based support personnel or their representatives. In addition, the Board shall consider demands placed on local school administrative units by state laws and regulations and shall determine directly from employees of local school administrative units what reports are required and the attendant costs in time and money."



APPENDICES



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1983  
RATIFIED BILL

CHAPTER 860  
HOUSE BILL 1307

AN ACT TO CREATE THE PUBLIC EDUCATION POLICY COUNCIL.

Whereas, Chapter 1392 of the 1981 Session Laws, Regular Session 1982, created the Select Committee to Study the Department of Public Education; and

Whereas, the Select Committee held a series of public hearings and conducted an intensive investigation of a number of issues relating to public education; and

Whereas, legislation introduced during the 1983 Session of the General Assembly generated much interest among legislators, educational leaders and other interested citizens; and

Whereas, between seventy-five percent (75%) and eighty percent (80%) of the State's General Fund Tax Revenues are spent in support of education at all levels and through various agencies in North Carolina; and

Whereas, the Declaration of Rights in the Constitution of North Carolina guarantees the people the "right to the privilege of education" and makes it the "duty of the State to guard and maintain that right"; and

Whereas, the Constitution of North Carolina mandates that the General Assembly "provide . . . for a general and uniform system of free public schools"; and

Whereas, the General Assembly feels it is necessary to continue to study the fiscal and operational functions of the Department of Public Education so as to guarantee the fundamental right of the people to the privilege of education and to provide for a general and uniform system of free public schools; and

Whereas, there is a need to provide for broad-based participation in this process by educational leaders throughout the State and those who represent the many segments of the educational community; Now, therefore,  
The General Assembly of North Carolina enacts:

Section 1. There is hereby created the Public Education Policy Council, to consist of 47 members, chosen as follows:

(1) 10 members of the Senate, appointed by the President Pro Tempore of the Senate, one of whom shall serve as cochairman;

(2) 10 members of the House of Representatives, appointed by the Speaker of the House, one of whom shall serve as cochairman;

(3) 11 members appointed by the Governor, one from each of the State's congressional districts;

(4) the Lieutenant Governor or his designee;

(5) the State Treasurer or his designee;

(6) the Superintendent of Public Instruction or his designee;

(7) the chairman of the State Board of Education or his designee;

(8) the chairman of the Board of Governors of The University of North Carolina or his designee;

(9) the chairman of the Board of Community Colleges or his designee;

(10) one member representing and appointed by the governing boards of each of the following organizations:

- a. the North Carolina Association of County Commissioners,
- b. the North Carolina School Boards Association,
- c. the North Carolina Association of Educators,
- d. the North Carolina Federation of Teachers,
- e. the North Carolina Association of School Administrators,
- f. the North Carolina Principals/Assistant Principals Association,
- g. the North Carolina Congress of Parents and Teachers,
- h. the North Carolina Association of Educational Office Personnel,
- i. the North Carolina Advisory Council on Education, and
- j. the North Carolina Association of Classroom Teachers.

The organizations and individuals listed above shall transmit the name and address of each designee or appointee to the Legislative Services Officer within 60 days after the adjournment of the 1983 General Assembly.

Sec. 2. Members of the Council shall be reimbursed for travel and subsistence expenses at the rates set out in G.S. 120-3.1. All expenses of the Council shall be paid from funds appropriated to the General Assembly. The Legislative Services Officer shall provide staff to the Council.

Sec. 3. The Council shall study the fiscal and operational functions of the Department of Public Education and the responsibilities of the several State and local agencies and units of government that share responsibility for the system of public schools. The study shall include public school laws as well as policies, procedures, philosophy and educational programs of the Department of Public Education and their application.

Sec. 4. The Council shall provide a preliminary report to the 1983 General Assembly, Regular Session 1984 and a final report to the 1985 General Assembly, to be submitted by December 1, 1984. At that time, the Council shall cease to exist. The reports shall include recommendations on providing better educational opportunities to the citizens of the State in a more cost-effective manner. The reports may include proposed legislation, including proposed constitutional amendments and statutory changes as the Council recommends.

Sec. 5. This act is effective upon ratification.  
In the General Assembly read three times and ratified,  
this the 20th day of July, 1983.

**JAMES C. GREEN**

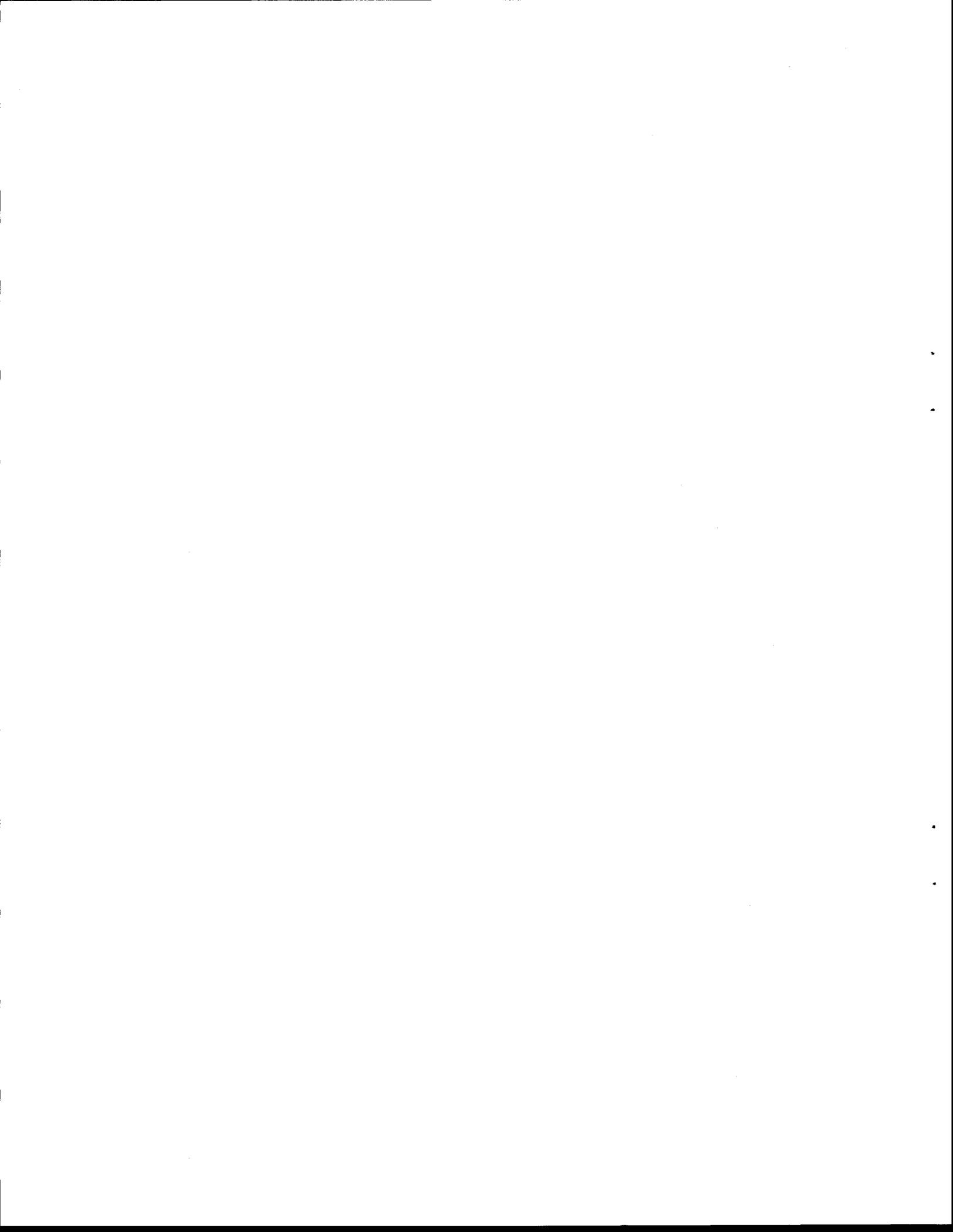
---

James C. Green  
President of the Senate

**LISTON B. RAMSEY**

---

Liston B. Ramsey  
Speaker of the House of Representatives



LEGISLATIVE MEMBERS OF THE  
PUBLIC EDUCATION POLICY COUNCIL

Rep. Jo Graham Foster, Co-Chairman  
1520 Maryland Avenue  
Charlotte, N. C. 28209  
Phone: 704/332-8269

Rep. Joe Mavretic  
Box 1982  
Tarboro, N. C. 27886  
Phone: 919/823-0366

Rep. R. J. Childress  
811 North Cherry Street  
Winston-Salem, N. C. 27101  
Phone: 919/725-8521

Rep. C. R. Edwards  
302 Moore Street  
Fayetteville, N. C. 28301  
Phone: 919/483-6505

Rep. Margaret Hayden  
303 "E" Street  
N. Wilkesboro, N. C. 28659  
Phone: 919/667-2191

Rep. Aaron Fussell  
1201 Briar Patch Lane  
Raleigh, N. C. 27609  
Phone: 919/834-7666

Rep. Charles Owens  
Box 610  
Forest City, N. C. 28043  
Phone: 704/245-6951

Rep. Howard Chapin  
212 Smaw Road  
Washington, N. C. 27889  
Phone: 919/946-3480

Rep. Reid Poovey  
61 Twentieth Ave., N.W.  
Hickory, N. C. 28601  
Phone: 704/328-4111

Rep. D. R. Mauney  
301 Old Post Road  
Cherryville, N. C. 28021  
Phone: 704/435-9271

Senator Robert Warren, Co-Chairman  
Route 3, Box 25  
Benson, N. C. 27504  
Phone: 919/894-3944

Senator Cary Allred  
P. O. Box 3303  
Burlington, N. C. 27215  
Phone: 919/226-1091

Senator Robert M. Davis, Sr.  
215 North Main Street  
Salisbury, N. C. 28144  
Phone: 704/636-2181

Senator Elton Edwards  
P. O. Box 448  
Greensboro, N. C. 27402  
Phone: 919/373-8764

Senator James H. Edwards  
420 7th Avenue, S.W.  
Hickory, N. C. 28601  
Phone: 704/328-6405

Senator Harold Hardison  
P. O. Box 128  
Deep Run, N. C. 28525  
Phone: 919/568-3131

Senator Kenneth R. Harris  
2000 Southern National Center  
Charlotte, N. C. 28202  
Phone: 704/373-1835

Senator William N. Martin  
P. O. Box 21325  
Greensboro, N. C. 27420  
Phone: 919/373-1115

Senator Ben Tison  
One NCNB Plaza  
Charlotte, N. C. 28255  
Phone: 704/374-5755

Senator Marvin Ward  
641 Yorkshire Road  
Winston-Salem, N. C. 27106  
Phone: 919/724-9104

PUBLIC EDUCATION POLICY COUNCIL - Continued

**N. C. Principals/Assistant Principals Association**

Joe Bost, Principal  
Gamewell Elementary School  
Route 6, Box 214  
Lenoir, N. C. 28645

**State Superintendent**

Dr. Craig Phillips  
Dept. of Public Education  
Education Building

**N. C. Congress of Parents & Teachers**

Mrs. Toni Fink  
202 Rutherglen Drive  
Cary, N. C. 27511

**N. C. Association of School Administrators**

Dr. Raymond L. Sarbaugh, Ex. Dir.  
333 Wade Avenue  
Raleigh, N. C. 27605  
Phone: 919/828-1426

**Classroom Teachers Association**

Mr. Joe Fitzsimmons  
3137 Ivydale Drive  
Charlotte, N. C. 28212

**N. C. Federation of Teachers**

Mr. Olin T. Flowe, Teacher  
Sedgefield Jr. High  
2700 Dorchester Place  
Charlotte, N. C. 28209

**Department of Community Colleges**

Mr. John A. Forlines, Jr.  
Chairman & President  
Bank of Granite, P. O. Box 128  
Granite Falls, N. C. 28360

**State Board of Education (Designee of Chairman)**

Dr. Barbara M. Tapscott  
P. O. Box 938  
Burlington, N. C. 27215 - Phone: 919/226-1151

**N. C. Association of Educational Office Personnel**

Mrs. Charlie Mae Holland  
McDowell County Schools  
P. O. Box 130  
Marion, N. C. 28752

**N. C. Department of Treasurer**

Harlan E. Boyles  
State Treasurer  
Albemarle Building

PUBLIC EDUCATION POLICY COUNCIL - Continued

N. C. Advisory Council on Education

Michael Latta  
530 N. Wilmington Street  
Watson House  
Raleigh, N. C. 27604 - Phone: 733-2064

N. C. Association of County Commissioners

Mr. Wayne Hooper, Chairman  
Jackson County Board of Commissioners  
8 Ridgeway Street  
Sylva, N. C. 28779

N. C. School Boards Association

Mrs. Janet Wilson  
411 Tremont Circle, SE  
Lenoir, NC 28645

University Board of Governors

Mr. John R. Jordan, Jr.  
P. O. Box 709  
Raleigh, N. C. 27602  
Phone: 828-2501

NCAE

Mr. Cecil Banks  
207-D Village Lane  
Greensboro, NC 27409  
Phone: 919/292-8182 (H)  
919/275-9528 (school)

Contact: Claudette Lee  
NCAE, Raleigh  
Phone 919/832-3000

Office of the Lieutenant Governor

The Hon. Jimmy Green  
Legislative Office Building  
Raleigh, N. C. 27611

Mr. David T. Helberg  
4812 Gaines Drive  
Greensboro, N. C. 27410  
Phone: 919/299-4812 (H)  
(Lt. Governor's Designee)

GOVERNOR'S APPOINTMENTS TO THE  
PUBLIC EDUCATION POLICY COUNCIL

Dr. Charles Coble School of Education East Carolina University Greenville, N. C. 27834	(1st Congressional District)
(unconfirmed)	(2nd Congressional District)
Mr. W. D. McRoy, Jr. Vocational Director Goldsboro City Schools P. O. Box 1757 Goldsboro, N. C. 27530	(3rd Congressional District)
Rep. Anne Barnes 313 Severin Street Chapel Hill, N. C. 27514	(4th Congressional District)
Mrs. Whitty Cuninggim 316 Hanover Arms Winston-Salem, N. C. 27104	(5th Congressional District)
Ms. Elizabeth Hargrove 316 Ridgecrest Drive Lexington, N. C. 27292	(6th Congressional District)
Mr. Angus Thompson P. O. Box 1167 Lumberton, N. C. 28359	(7th Congressional District)
Mr. William C. Stanback 626 Club House Drive Salisbury, N. C. 28144	(8th Congressional District)
Mrs. Carrie Winter 5801 Masters Court Charlotte, N. C. 28211	(9th Congressional District)
Mrs. Anne Bare Edwards 154 Cedar Drive Lenoir, N. C. 28645	(10th Congressional District)
Mr. Fred Bentley President Mars Hill College Mars Hill, N. C. 28754	(11th Congressional District)

Appendix C

PUBLIC EDUCATION POLICY COUNCIL  
Membership Designated by Committee

Finance

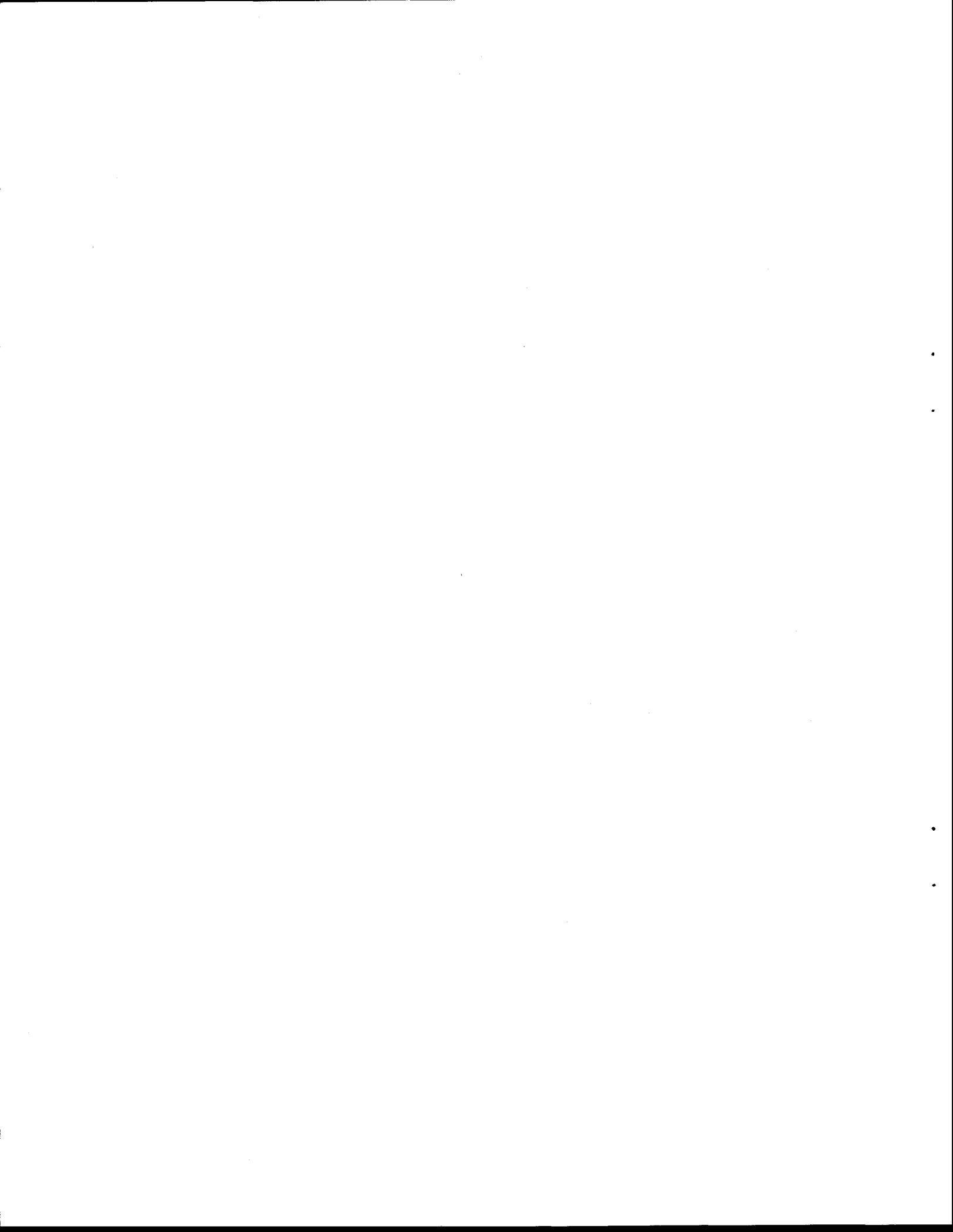
<u>Name</u>	<u>Group Represented</u>
John Jordan, Chairman	University Board of Governors
Anne Barnes	Governor (4th District)
Harlan Boyles	State Treasurer
R. J. Childress	House of Representatives
Robert Davis	Senate
Elton Edwards	Senate
Toni Fink	Parent Teachers Association
Harold Hardison	Senate
Elizabeth Hargrove	Governor (6th District)
Kenneth Harris	Senate
Margaret Hayden	House of Representatives
W. D. McRoy	Governor (3rd District)
Barbara Tapscott	State Board of Education
Janet Wilson	N. C. School Boards Association
Carrie Winter	Governor (9th District)

Personnel

Josephus Mavretic, Chairman	House of Representatives
Cecil Banks	N. C. Association of Educators
Fred Bentley	Governor (11th District)
Joe Bost	Principals, Assistant Principals Assn.
Anne Edwards	Governor (10th District)
Joe Fitzsimmons	Classroom Teachers Association
Aaron Fussell	House of Representatives
David Helberg	Designee - Lieutenant Governor
Charlie Mae Holland	N. C. Assn. Educational Office Personnel
Wayne Hooper	Association of County Commissioners
D. R. Mauney	House of Representatives
Charles Owens	House of Representatives
Craig Phillips	Superintendent of Public Instruction
Ben Tison	Senate

Governance

Jim Edwards, Chairman	Senate
Cary Allred	Senate
Howard Chapin	House of Representatives
Charles Coble	Governor (1st District)
Whitty Cuninggim	Governor (5th District)
C. R. Edwards	House of Representatives
Olin Flowe	N. C. Federation of Teachers
John Forlines	Board of Community Colleges
Michael Latta	Advisory Council on Education
William Martin	Senate
Reid Poovey	House of Representatives
Ray Sarbaugh	N. C. Assn. of School Administrators
William Stanback	Governor (8th District)
Angus Thompson	Governor (7th District)
Marvin Ward	Senate



GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1983



SENATE BILL 143

Short Title: Education Law Review.

(Public)

Sponsors: Senators Speed; Hardison and Swain.

Referred to: Education.

February 25, 1983

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENHANCE THE ROLE OF THE STATE BOARD OF EDUCATION AS THE  
3 PRINCIPAL VOICE FOR ELEMENTARY AND SECONDARY EDUCATION IN NORTH  
4 CAROLINA.

5 Whereas, the Select Committee on Education established  
6 pursuant to Chapter 1392 of the 1981 Session Laws (Regular  
7 Session 1982) concluded that many of the administrative  
8 difficulties in elementary and secondary education in North  
9 Carolina stem from the plethora of statutes, some of them  
10 conflicting, governing the State's system of elementary and  
11 secondary education; and

12 Whereas, efforts to revise, update and recodify North  
13 Carolina's public school laws have been undertaken by a number of  
14 special committees and commissions since 1975; and

15 Whereas, the 1981 General Assembly completed  
16 recodification of North Carolina's public school laws, thus  
17 completing part of the above task; and

18 Whereas, it is the policy of the State of North Carolina  
19 that the State Board of Education be the principal voice for  
20 elementary and secondary education in this State; Now, therefore,  
21

1 The General Assembly of North Carolina enacts:

2           Section 1. The Standing Committees on Education of the  
3 Senate and the House of Representatives of the North Carolina  
4 General Assembly shall jointly undertake a review of the statutes  
5 pertaining to public education in North Carolina with the  
6 objectives of reducing in number the laws concerning public  
7 education, clarifying and updating the laws where appropriate and  
8 determining which statutes should be redefined as regulations of  
9 the State Board of Education. The Committees are further  
10 directed to analyze the effect of the laws in regard to demands  
11 placed on local school administrative units. In the analysis,  
12 the committees shall determine directly from employees of local  
13 school systems what reports are required and the attendant costs  
14 in time and money. This review shall be completed and  
15 recommendations for corrections and deletions presented to the  
16 1983 General Assembly not later than May 1, 1984.

17           Sec. 2. This act is effective upon ratification.

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SESSION 19 84

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INTRODUCED BY:

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Referred to:

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1 A JOINT RESOLUTION CALLING ON THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1985 GENERAL ASSEMBLY TO SIT AS COMMITTEES OF THE WHOLE FOR TWENTY LEGISLATIVE DAYS FOR THE PURPOSE OF CONSIDERING VARIOUS PROPOSALS RELATING TO EDUCATION IN NORTH CAROLINA.

6 WHEREAS, North Carolina's young people, the principal participants in our public elementary and secondary school system, are our most valuable and important resource and their successful mastery of integrated knowledge is critical to their own and the state's economic growth and survival as they cope with contemporary society and we approach the twenty-first century; and

12 WHEREAS, Section 15 of Article I, the Declaration of Rights in the Constitution of North Carolina, guarantees the people the "right to the privilege of education" and makes it the "duty of the State to guard and maintain that right"; and

16 WHEREAS, Article IX, Section 2 of the Constitution of North Carolina requires the General Assembly to "provide by taxation and otherwise for a general and uniform system of free public schools, ...wherein equal opportunities shall be provided for all students," and permits the General Assembly to "assign to units of local government such responsibility for the financial support of the free public schools as it may deem appropriate;" and

24 WHEREAS, at least seventy-five percent (75%) of the

1 State's General Fund Tax Revenues are spent in support of education  
2 at all levels and through various agencies in North Carolina; and

3           WHEREAS, at least sixty percent (60%) of current expense  
4 expenditures for North Carolina public elementary and secondary  
5 schools are state funds, though this proportion varies greatly  
6 between local school administrative units; and

7           WHEREAS, there is much confusion as to program, policy  
8 and financial responsibility for various components of the ele-  
9 mentary and secondary educational system in North Carolina;

10           WHEREAS, Chapter 1392 of the 1981 Session Laws, Regular  
11 Session 1982, created the Select Committee to Study Public Educa-  
12 tion; the Select Committee held a series of public hearings,

13 conducted intensive investigation of a number of issues relating  
14 to public education and proposed legislation introduced in the  
15 1983 General Assembly which generated much interest among legis-  
16 lators, educational leaders and other interested citizens; and

17           WHEREAS, Chapter 860 of the 1983 Session Laws created  
18 the Public Education Policy Council, composed of 47 members  
19 representing various local and state government authorities as  
20 well as a number of concerned education groups and others; and

21           WHEREAS, the Public Education Policy Council has  
22 developed significant recommendations for change in the areas of  
23 school finance, personnel systems and educational governance; and

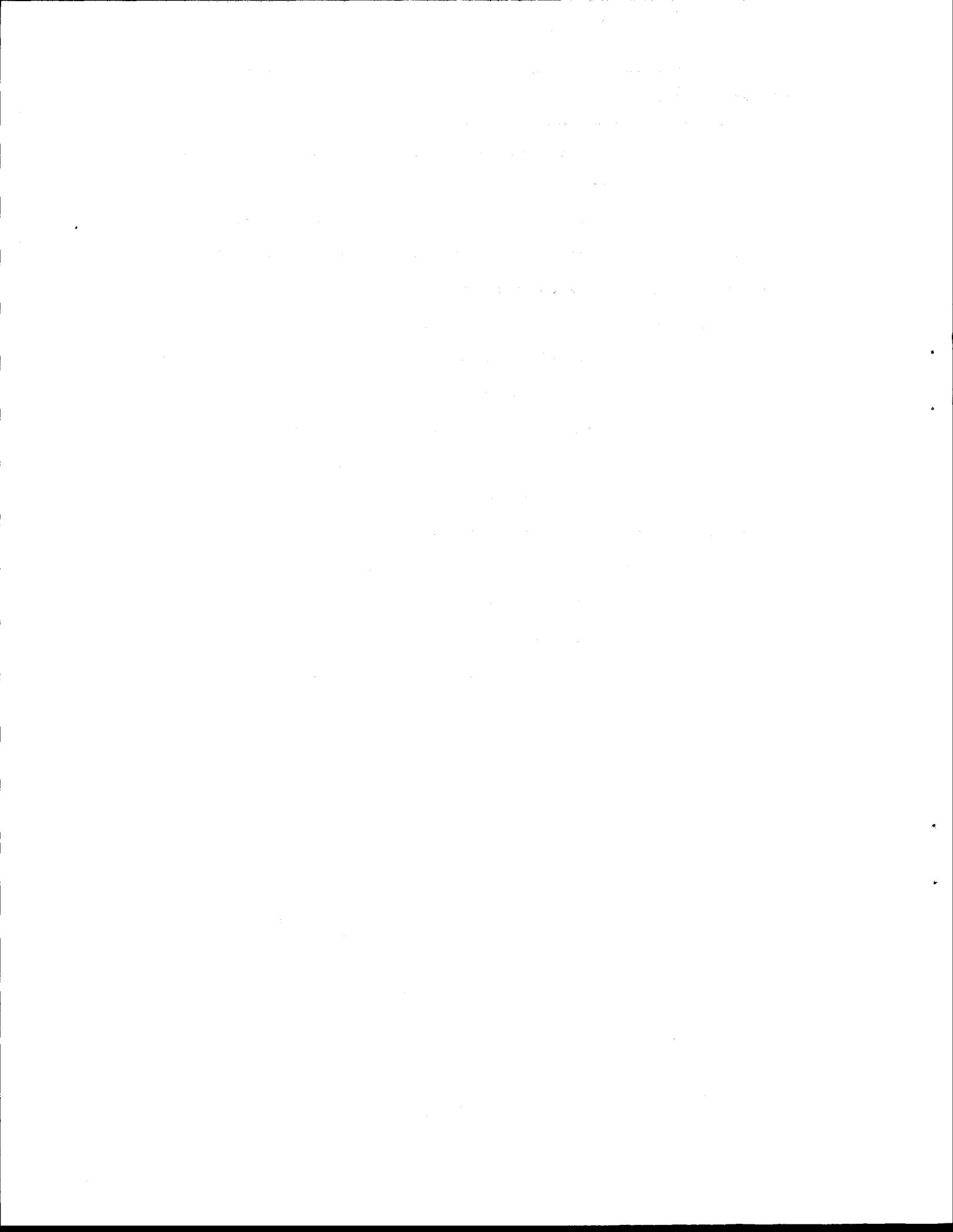
24           WHEREAS, a number of commissions, panels and task forces,  
25 notably the National Commission on Excellence in Education and the  
26 North Carolina Commission on Education for Economic Growth, have  
27 published and proposed a number of plans and suggestions for change  
28 and reform of our educational system;

1 Now, therefore, be it resolved by the House of Representatives,  
2 the Senate concurring:

3           Section 1. The 1983 General Assembly, Regular Session  
4 1984, urges the Senate and House of Representatives of the 1985  
5 General Assembly to consider suspending their rules to the end  
6 that each might sit as a committee of the whole during all or  
7 some portion of the first twenty (20) legislative days of the  
8 1985 Session for the purpose of considering and discussing major  
9 issues of educational policy based upon recommendations made by  
10 the Public Education Policy Council and other commissions and  
11 task forces. Such a forum which will provide the opportunity to  
12 consider these complex issues and their relationships. Debate  
13 within the committees of the whole should enhance the under-  
14 standing and agreement of all members of the issues involved  
15 and proposals before them.

16           Sec. 2. This resolution is effective upon ratifica-  
17 tion.

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SESSION 19 83

INTRODUCED BY:

Referred to:

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A BILL TO BE ENTITLED  
AN ACT TO AMEND THE CONSTITUTION AND THE GENERAL STATUTES TO  
CHANGE THE METHOD OF SELECTING THE MEMBERS OF THE STATE  
BOARD OF EDUCATION AND TO MAKE THE OFFICE OF THE  
SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTIVE.

The General Assembly of North Carolina enacts:

Section 1. Section 7(1) of Article III of the  
Constitution of North Carolina is hereby amended by deleting  
the words "a Superintendent of Public Instruction."

Sec. 2. Section 4 of Article IX of the Constitu-  
tion of North Carolina is rewritten to read:

"Sec. 4. State Board of Education.

(1) Board. The State Board of Education shall consist  
of the Lieutenant Governor, the State Treasurer, eight  
members appointed by the Governor, one from each of the  
eight educational districts of the state, as designated by  
the General Assembly, and one member from each of the  
state's congressional districts elected by the General  
Assembly. Appointments and elections shall be for overlap-  
ping terms of four years and no person elected by the  
General Assembly or appointed by the Governor shall be  
eligible for appointment or election, by the same appointing

1 or electing authority, to more than two consecutive terms as  
2 a member of the Board.

3 (2) State Superintendent of Public Education. The  
4 State Superintendent of Public Education shall be the  
5 secretary and chief administrative officer of the State  
6 Board of Education. He shall be appointed by the State  
7 Board of Education."

8 Sec. 3. The amendment set out in Sections 1 and 2  
9 of this act shall be submitted to the qualified voters of  
10 the state at the general election held on the first Tuesday  
11 following the first Monday in November 1984. In such  
12 election, each qualified voter shall be provided a ballot on  
13 which shall be printed the following:

14 "  FOR constitutional amendment to change the Super-  
15 intendent of Public Instruction from an elective official to  
16 an appointive official and to change the method of selecting  
17 members of the State Board of Education.

18  AGAINST constitutional amendment to change the  
19 Superintendent of Public Instruction from an elective  
20 official to an appointive official and to change the method  
21 of selecting members of the State Board of Education."

22 Those qualified voters favoring the amendments set out  
23 in Sections 1 and 2 of this act shall vote by making an X or  
24 appropriate mark in the space beside the statement beginning  
25 "FOR", and those qualified voters opposing said amendments  
26 shall vote by making an X or appropriate mark in the space  
27 beside the statement beginning "AGAINST".  
28

1           Notwithstanding the foregoing provisions of this  
2 section, voting machines may be used in accordance with the  
3 rules and regulations prescribed by the State Board of  
4 Elections.

5           Sec. 4. If a majority of the votes cast in such a  
6 general election be in favor of the amendment, the Governor  
7 shall certify the amendment under the Great Seal of the  
8 State to the Secretary of State, who shall enroll the  
9 amendment so certified among the permanent records of his  
10 office.

11           Sec. 5. G.S. 163-1 is amended by deleting all  
12 reference to the Superintendent of Public Instruction as an  
13 elective officer.

14           Sec. 6. G.S. 143A-42 is rewritten to read as  
15 follows:

16           "§143A-42. State Superintendent of Public Education:  
17 transfer of office and Department of Public Instruction:  
18 powers and duties. -- The office of the State Superintendent  
19 of Public Education, as provided for by Article IX, Sec.  
20 4(2), of the Constitution, and the Department of Public  
21 Instruction are hereby transferred to the Department of  
22 Public Education. The State Superintendent of Public  
23 Education shall be the secretary and chief administrative  
24 officer of the State Board of Education, and shall have such  
25 powers and duties as are conferred by the Constitution, by  
26 the State Board of Education, Chapter 115C of the General  
27 Statutes, and the laws of this state."

28           Sec. 7. G.S. 115C-10 is rewritten to read:

1           "§115C-10. State Board of Education. -- (a) The  
2 State Board of Education shall consist of the Lieutenant  
3 Governor, the State Treasurer, eight members appointed by  
4 the Governor, one from each of the eight educational dis-  
5 tricts of the state, and 11 members elected by the General  
6 Assembly, one from each of the state's congressional dis-  
7 tricts. Appointments and elections shall be for overlapping  
8 terms of four years and, except as provided in subsection  
9 (d), no person elected by the General Assembly or appointed  
10 by the Governor shall be eligible for appointment or elec-  
11 tion, by the same appointing or electing authority, to more  
12 than two consecutive terms as a member of the Board.

13           (b) Appointments by the Governor. On or before the  
14 sixtieth legislative day of the 1987 General Assembly, the  
15 Governor shall submit to the Secretary of State and to the  
16 Superintendent of Public Instruction the names of eight  
17 persons appointed by him to the State Board of Education.  
18 Four of these persons shall be appointed for two-year terms,  
19 representing educational districts one, three, five, and  
20 seven. Four of these persons shall be appointed for  
21 four-year terms, representing educational districts two,  
22 four, six and eight. Beginning in 1989, during each regular  
23 session of the General Assembly, the Governor shall transmit  
24 to the Secretary of State and to the State Superintendent of  
25 Public Education, on or before the sixtieth legislative day  
26 of the General Assembly, the names of the persons appointed  
27 by him to serve overlapping terms of four years.  
28

1 (c) Members Elected by General Assembly. The presid-  
2 ing officer of each house of the General Assembly shall  
3 transmit to the Secretary of State and to the State Superin-  
4 tendent of Public Education, on or before the sixtieth  
5 legislative day of the General Assembly, the names of the  
6 persons elected by that chamber to membership on the Board.  
7 Elections shall be for overlapping terms of four years with  
8 members representing each congressional district chosen  
9 alternately as follows:

10 (1) The member representing the first congressional  
11 district shall be elected by the House in 1987 for a  
12 two-year term. The member representing the first congres-  
13 sional district shall be elected by the senate in 1989, and  
14 every eight years thereafter, for a four-year term. The  
15 member representing the first congressional district shall  
16 be elected by the House in 1993, and every eight years  
17 thereafter, for a four-year term.

18 (2) The member representing the second congressional  
19 district shall be elected by the Senate in 1987, and every  
20 eight years thereafter, for a four-year term. The member  
21 representing the second congressional district shall be  
22 elected by the House in 1991, and every eight years thereaf-  
23 ter, for a four-year term.

24 (3) The member representing the third congressional  
25 district shall be elected by the House in 1987, and every  
26 eight years thereafter, for a four-year term. The member  
27 representing the third congressional district shall be  
28

1 elected by the Senate in 1991, and every eight years there-  
2 after, for a four-year term.

3 (4) The member representing the fourth congressional  
4 district shall be elected by the Senate in 1987 for a  
5 two-year term. The member representing the fourth congres-  
6 sional district shall be elected by the House in 1989, and  
7 every eight years thereafter, for a four-year term. The  
8 member representing the fourth congressional district shall  
9 be elected by the Senate in 1993, and every eight years  
10 thereafter, for a four-year term.

11 (5) The member representing the fifth congressional  
12 district shall be elected by the House in 1987 for a  
13 two-year term. The member representing the fifth congres-  
14 sional district shall be elected by the Senate in 1989, and  
15 every eight years thereafter, for a four-year term. The  
16 member representing the fifth congressional district shall  
17 be elected by the House in 1993, and every eight years  
18 thereafter, for a four-year term.

19 (6) The member representing the sixth congressional  
20 district shall be elected by the Senate in 1987, and every  
21 eight years thereafter, for a four-year term. The member  
22 representing the sixth congressional district shall be  
23 elected by the House in 1991, and every eight years thereaf-  
24 ter, for a four-year term.

25 (7) The member representing the seventh congressional  
26 district shall be elected by the House in 1987, and every  
27 eight years thereafter, for a four-year term. The member  
28 representing the seventh congressional district shall be

1       elected by the Senate in 1991, and every eight years there-  
2       after, for a four-year term.

3               (8) The member representing the eight congressional  
4       district shall be elected by the Senate in 1987 for a  
5       two-year term. The member representing the eight congress-  
6       sional district shall be elected by the House in 1989, and  
7       every eight years thereafter, for a four-year term. The  
8       member representing the eighth congressional district shall  
9       be elected by the Senate in 1993, and every eight years  
10       thereafter, for a four-year term.

11              (9) The member representing the ninth congressional  
12       district shall be elected by the House in 1987 for a  
13       two-year term. The member representing the ninth congress-  
14       sional district shall be elected by the Senate in 1989, and  
15       every eight years thereafter, for a four-year term. The  
16       member representing the ninth congressional district shall  
17       be elected by the House in 1993, and every eight years  
18       thereafter, for a four-year term.

19              (10) The member representing the tenth congressional  
20       district shall be elected by the Senate in 1987, and every  
21       eight years thereafter, for a four-year term. The member  
22       representing the tenth congressional district shall be  
23       elected by the House in 1991, and every eight years thereaf-  
24       ter, for a four-year term.

25              (11) The member representing the eleventh congression-  
26       al district shall be elected by the House in 1987, and every  
27       eight years thereafter, for a four-year term. The member  
28       representing the eleventh congressional district shall be

1 elected by the Senate in 1991, and every eight years there-  
2 after, for a four-year term.

3 (d) Nominations for Election by the General Assembly.

4 Not later than October 15 of the year preceding the expira-  
5 tion of the term of any member of the State Board elected by  
6 the General Assembly, the State Superintendent shall notify  
7 the superintendent of each local school administrative unit  
8 and the chairman of the board of county commissioners in  
9 each county in the appropriate congressional district of the  
10 expiration of the term. In 1986 only, the deadline for  
11 notification shall be one week following the certification  
12 of adoption of the Constitutional amendment as provided in  
13 Section 4 of this act.

14 The notice shall contain, at a minimum, the deadline  
15 for submission of nominees and the name and address of the  
16 appropriate presiding officer, depending on which house of  
17 the General Assembly has responsibility for electing the  
18 Board member from that district. Each local board of  
19 education in the congressional district shall have the  
20 privilege of selecting one nominee for membership on the  
21 State Board and submitting the name of the nominee to the  
22 board of commissioners of the county where the board is  
23 located. In the event a local school administrative unit is  
24 located in more than one county, the name of the nominee of  
25 the board of education for that unit shall be submitted to  
26 the board of commissioners of the county wherein the nominee  
27 resides. The board of commissioners shall accept or reject  
28 the nominations. In the event the nomination is accepted,

1 the board of commissioners shall transmit the name of the  
2 nominee to the appropriate presiding officer of the General  
3 Assembly. If the nomination is rejected, the board of  
4 county commissioners shall notify the local board of educa-  
5 tion in order that the name of another nominee may be  
6 submitted. In the event more than one local board of  
7 education in a county submits nominations, the board of  
8 county commissioners shall select one nominee from among the  
9 names submitted by the boards of education. In any event,  
10 on or before February 15 of the year in which the term of  
11 the State Board of Education member expires, the board of  
12 commissioners of each county in the congressional district  
13 shall notify the presiding officer of the House or Senate,  
14 whichever is to elect the member from that congressional  
15 district, of the name of one nominee from that county. If  
16 the board of commissioners receives no recommendation from  
17 the local board or boards of education in that county, the  
18 board of commissioners shall so notify the appropriate  
19 presiding officer.

20 (e) Election by the General Assembly. At each session  
21 of the General Assembly held in an odd-numbered year, the  
22 presiding officer of each house shall assign to the Commit-  
23 tee on Education of that house the duty of receiving the  
24 names of persons nominated for election by that house to  
25 membership on the Board. In order for a person to have  
26 standing to be considered, that person shall be formally  
27 proposed as provided in subsection (d) above or shall have  
28 obtained the signatures of not less than one percent (1%) of

1 the registered voters in his county of residence and shall  
2 have presented such petition, certified by the chairman of  
3 the local board of elections, to the presiding officer of  
4 the electing house of the General Assembly on or before  
5 February 15 of the year in which the term expires. At the  
6 election session of the house designated to elect the  
7 member, the committee shall report its list of recommended  
8 nominees. That house shall then proceed to an election of  
9 members of the Board. In order to be chosen, a nominee  
10 shall receive the votes of a majority of all members present  
11 and voting. When the house has chosen one person for each  
12 place to be filled on the State Board, the chairman of the  
13 committee shall make a motion for the simultaneous election  
14 of those persons by the house to the indicated positions and  
15 for the indicated terms. The roll shall then be called  
16 electronically. If a majority of those voting shall vote  
17 'aye,' the persons named in the motion shall be declared to  
18 have been elected. Each house may adopt rules consistent  
19 with this section with respect to the election by that house  
20 of members of the State Board.

21 (f) Vacancies. In the event of vacancy on the Board,  
22 the vacancy shall be filled by whichever authority made the  
23 original appointment. The State Superintendent of Public  
24 Education shall notify the appropriate authority of the  
25 vacancy. Where the vacancy is to be filled by the Governor,  
26 he shall transmit the name of the appointee as soon as  
27 possible as provided in subsection (b). Where the vacancy  
28 is to be filled by either house of the General Assembly, the

1 appropriate presiding officer shall transmit the name of the  
2 person elected as soon as possible after the beginning of  
3 the next regular session of the General Assembly. By  
4 whichever authority the vacancy is filled, if more than half  
5 of the unexpired term remains to be served, the appointee  
6 shall be eligible for appointment or election to one full  
7 four-year term in addition to the unexpired term. If less  
8 than half of the unexpired term remains to be served, the  
9 appointee shall be eligible for appointment or election to  
10 two additional four-year terms in addition to the unexpired  
11 term.

12 (g) Limitations on Membership. No member of the  
13 General Assembly, no officer or employee of the State except  
14 those designated in the Constitution of the State of North  
15 Carolina, no officer or employee of an institution under the  
16 jurisdiction of the State Board or any local board, no  
17 officer or employee of any organization or association of  
18 public school employees and no spouse of any of these  
19 persons, shall be eligible to serve on the State Board.

20 Notwithstanding the above, officers or employees of the  
21 state, members of local boards of education, members of  
22 boards of county commissioners, members of district school  
23 committees, employees of local boards of education and  
24 officers and employees of organizations or associations of  
25 public school employees shall be eligible for nomination to  
26 membership on the State Board: Provided, however, that any  
27 such person elected or appointed to the State board shall  
28 resign his position before taking office.

1 (h) Terms of Office. All terms shall commence on July  
2 1 of odd-numbered years."

3 Sec. 8. G.S. 115C-11(a) is rewritten to read:

4 "(a) Presiding Officer. The Governor shall convene  
5 the membership of the State Board on July 1, 1987, or as  
6 soon as feasible thereafter. The State Board at that  
7 meeting, and every two years thereafter, shall elect from  
8 its appointed or elected membership a chairman. No member  
9 shall be eligible to serve more than two consecutive  
10 two-year terms as chairman. At its meeting after July 1,  
11 1987, and every two years thereafter, the Board shall also  
12 elect a vice-chairman and such other officers as it may deem  
13 necessary. A majority of the Board shall constitute a  
14 quorum for the transaction of business. Per diem and  
15 expenses of the members of the Board appointed by the  
16 Governor and elected by the General Assembly shall be  
17 provided by the General Assembly.

18 The chairman of the Board shall preside at all meetings  
19 of the Board. In the absence of the chairman, the  
20 vice-chairman shall preside; in the absence of both the  
21 chairman and the vice-chairman, the Board shall name one of  
22 its own members as chairman pro tempore."

23 Sec. 9. G.S. 115C-12(4) is repealed.

24 Sec. 10. G.S. 115C-18 is rewritten to read:

25 "§115C-18. Appointment of State Superintendent of  
26 Public Education. -- The State Superintendent of Public  
27 Education shall be appointed by the State Board of Education  
28 and shall serve at the pleasure of the Board."

1           Sec. 11. G.S. 115C-21(a) (1) is amended by adding  
2 following the first sentence the following:

3           "These shall include a Division of Fiscal Affairs which  
4 shall be under the direction of a Controller, to be appoint-  
5 ed by the State Superintendent of Public Education subject  
6 to the approval of the State Board of Education."

7           Sec. 12. G.S. 115C-21(a) (5) is rewritten to read:

8           "(5) To have under his direction, in his capacity as  
9 the constitutional administrative head of the public school  
10 system, all those matters relating to the supervision and  
11 administration of the public school system."

12           Sec. 13. G.S. 115C-27 is repealed.

13           Sec. 14. G.S. 115C-29(a) is rewritten to read:

14           "It shall be the duty of the Controller, under the  
15 direction of the Board and the State Superintendent of  
16 Public Education to administer the funds provided for the  
17 operation of the schools of the state on such standards as  
18 may be determined by the Board and always within the total  
19 funds appropriated therefor."

20           Sec. 15. G.S. 115C-29(b) is amended by rewriting  
21 the introductory language before subdivision (1) to read:

22           "(b) The Controller, under the direction of the Board  
23 and the State Superintendent of Public Education, shall  
24 perform the following duties:"

25           Sec. 16. G.S. 115C-29(b) is further amended by  
26 rewriting subdivision (8) to read:

27           "(8) He shall attend all meetings of the Board and  
28 shall furnish all such information and data concerning the

1 fiscal affairs of the Board as the Board or the Superinten-  
2 dent may require."

3 Sec. 17. G.S. 115C-29(b) is further amended by  
4 rewriting subdivision (12) to read:

5 "(12) He shall perform such other duties as may be  
6 assigned to him by the Board or by the State Superintendent  
7 of Public Education from time to time."

8 Sec. 18. Subdivision (9) and (10) of G.S.  
9 115C-29(b) are repealed.

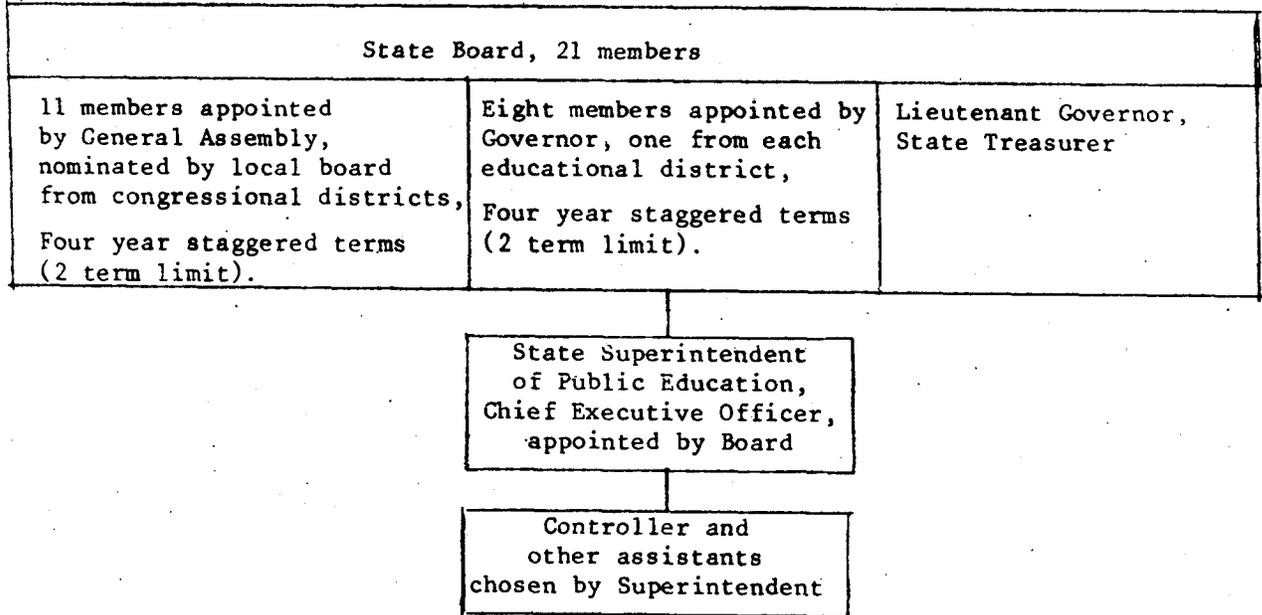
10 Sec. 19. Chapter 115C of the General Statutes is  
11 amended by deleting the words "Superintendent of Public  
12 Instruction" wherever they appear and substituting the words  
13 "State Superintendent of Public Education".

14 Sec. 20. Sections 1 through 4 of this act are  
15 effective upon ratification. Upon certification of adoption  
16 of the constitutional amendment as provided in section 4 of  
17 this act, sections 7 and 8 shall become effective immediate-  
18 ly while sections 5, 6 and 9 through 19 shall become effec-  
19 tive January 1, 1989.

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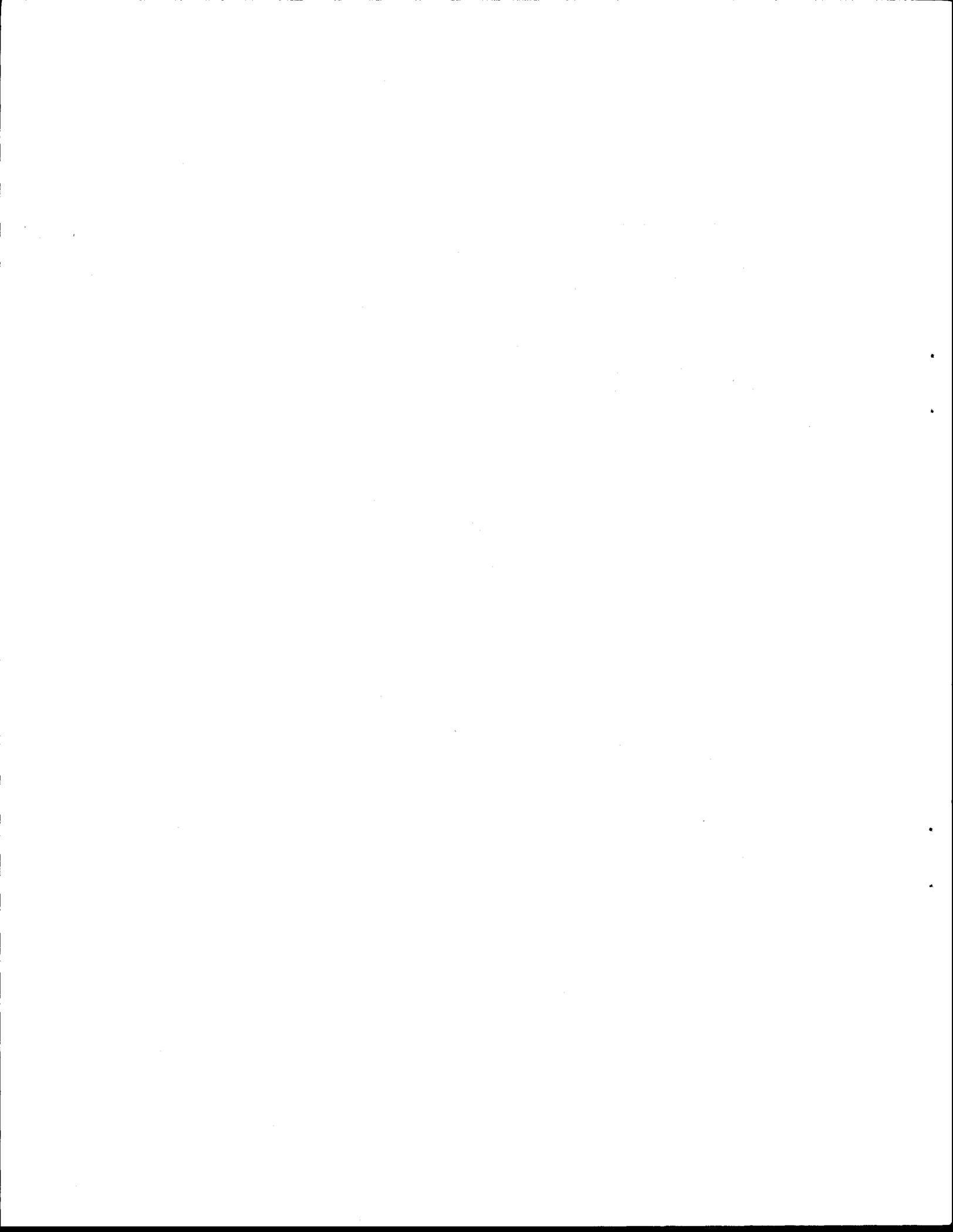
Appendix G

LARGE BOARD MODEL



Notes:

1. Constitutional changes necessary to effect this model.
2. Board is larger, more cumbersome than at present.



SESSION 19 83

INTRODUCED BY:

Referred to:

1                                   A BILL TO BE ENTITLED  
2       AN ACT TO ENACT THE ELEMENTARY AND SECONDARY SCHOOL REFORM  
3       ACT OF 1984.  
4       The General Assembly of North Carolina enacts:  
5                        Section 1. This act may be referred to as the  
6       "Elementary and Secondary School Reform Act of 1984."  
7                        Sec. 2. G.S. 115C-81(a) is amended by deleting  
8       the first paragraph and substituting the following:  
9                        "Standard Course of Study. -- It is the policy of the  
10       State of North Carolina to insure a quality education to  
11       every child in North Carolina, regardless of where the child  
12       resides. To this end, the General Assembly directs the  
13       State Board of Education to develop a standard course of  
14       study to be offered to every child in North Carolina public  
15       schools and to submit the proposed standard course of study  
16       to the General Assembly by December 1, 1984.  
17                        The standard course of study shall reflect a rigorous  
18       academic course of study stressing mastery of integrated  
19       knowledge based on mastery of competencies in the basic  
20       skill areas rather than the study of isolated disciplines.  
21       To this end, the State Board of Education is directed to  
22       undertake a statewide audit of current curricula and to  
23  
24

1 refine the curricula as required to comply with this policy.

2 The standard course of study:

- 3 1. shall stress mastery of integrated knowledge;
- 4 2. should provide students with the specific competen-  
5 cies needed to gain employment or to continue their  
6 education;
- 7 3. should provide students with the skills necessary  
8 to cope with contemporary society;
- 9 4. shall contain a vocational education component  
10 designed to meet the state's anticipated career train-  
11 ing needs;
- 12 5. shall provide for a program of continuous learning  
13 based upon the individual child's need, interest, and  
14 stages of development, so that the program has a  
15 nongraded structure of organization;
- 16 6. shall set forth what subjects shall be taught in  
17 each grade, and outline the basal and supplementary  
18 books on each subject to be used in each grade;
- 19 7. shall include a core curriculum for all students  
20 plus additional elective curriculum choices to meet the  
21 varied needs and interests of students;
- 22 8. shall establish a minimum length of the instruc-  
23 tional day;
- 24 9. shall prescribe standards for student performance  
25 and promotion with remediation to begin before entering  
26 the fourth grade;
- 27 10. shall provide for guidance counselors in all  
28 elementary schools;

1 11. shall describe staff ratios with particular  
2 attention to adequacy at the kindergarten-grade three  
3 levels; and

4 12. shall specify maximum class sizes for each course  
5 required by the standard course of study; staffing  
6 requirements to support the standard course of study,  
7 to include minimum staffing for schools, regardless of  
8 size, where such schools are determined to be essential  
9 to serve pupils located in isolated geographic areas;  
10 facility requirements for the standard course of study;  
11 material requirements for the standard course of study;  
12 and such other information the Board finds necessary to  
13 enable the General Assembly to allocate appropriate  
14 resources to implement the plan adopted."

15 Sec. 3. The second paragraph of G.S. 115C-271 is  
16 rewritten to read:

17 "It is the policy of the state of North Carolina that  
18 the superintendents of each of the several school adminis-  
19 trative units be hired solely at the discretion of the local  
20 boards of education and that a candidate for superintendent  
21 of a local school administrative unit must have been, at  
22 least, a principal in a North Carolina public school and  
23 have other minimum credentials, educational prerequisites  
24 and experience requirements as the State Board of Education  
25 shall prescribe. Candidates for superintendent of local  
26 school administrative units who have not served as princi-  
27 pals in North Carolina public schools must satisfy the State  
28 Board of Education that they have at least equivalent

1 experience. The State Board of Education is directed to  
2 promulgate prerequisites for candidacy for superintendent  
3 not later than January 1, 1985."

4 Sec. 4. G.S. 115C-284 is amended by adding a new  
5 subsection to read:

6 "(d1) It is the policy of the State of North Carolina  
7 that, subsequent to the adoption of a system of classroom  
8 teacher differentiation and prerequisite to candidacy for  
9 principal, a classroom teacher must have attained at least  
10 the second level of differentiation, have at least four  
11 years of classroom teaching experience, and possess, at  
12 least, a Masters Degree in Education Administration. The  
13 State Board of Education shall develop and recommend to the  
14 General Assembly by November 30, 1986 a quality assurance  
15 program for all administrators, similar to the programs for  
16 beginning and experienced teachers, in order to provide  
17 principals and superintendents with opportunities to develop  
18 effective management skills. In the development of this  
19 recommendation, the State Board of Education shall consult  
20 with local boards of education, on a continuous and system-  
21 atic basis, through a process designed by the State Board,  
22 to assure participation on the part of a number of local  
23 boards of various sizes throughout the State. In addition,  
24 the State Board should consult with and/or employ such  
25 public and private agencies, organizations and professional  
26 organizations as it deems necessary to accomplish this  
27 policy."

28

1           Sec. 5. G.S. 115C-296 is amended by designating  
2 the present section as subsection (a) and adding the follow-  
3 ing subsections (b) and (c) to read:

4           "(b) It is the policy of the State of North Carolina  
5 to maintain the highest quality teacher education programs  
6 in order to enhance the competence of professional personnel  
7 certified in North Carolina. To the end that teacher  
8 preparation programs are upgraded to reflect a more rigorous  
9 course of study, the State Board of Education shall submit  
10 to the General Assembly not later than November 1, 1984 a  
11 plan to promote this policy. The State Board of Education,  
12 as lead agency in coordination and cooperation with the  
13 University Board of Governors, the Board of Community  
14 Colleges and such other public and private agencies as are  
15 necessary, shall continue to refine standards for approval  
16 of institutions of teacher education, standards for institu-  
17 tion-based innovative and experimental programs, standards  
18 for implementing consortium-based teacher education, the  
19 several certification requirements and for improved effi-  
20 ciencies in the administration of the approved programs.

21           "(c) It is the policy of the State of North Carolina  
22 to encourage lateral entry into the profession of teaching  
23 by skilled individuals from the private sector. To this  
24 end, before the 1985-86 school year begins, the State Board  
25 of Education shall develop criteria and procedures to  
26 accomplish the employment of such individuals as classroom  
27 teachers. Regardless of credentials or competence, no one  
28 shall begin teaching above the middle level of

1 differentiation. Skilled individuals, who choose to enter  
2 the profession of teaching laterally, may be granted a  
3 provisional teaching certificate for no more than five years  
4 and shall be required to obtain certification before con-  
5 tracting for a sixth year of service with any local adminis-  
6 trative unit in this State."

7 Sec. 6. G.S. 115C-299 is amended by adding a new  
8 subsection (c) to read:

9 "(c) It is the policy of the State of North Carolina  
10 to allow lateral transfer between school administrative  
11 units in the State by competent professional personnel, at  
12 the same level of differentiation. To this end, before the  
13 1987-88 school year begins, the State Board of Education  
14 shall develop criteria and procedures to enable these  
15 persons to transfer without being penalized by loss of  
16 attained status."

17 Sec. 7. G.S. 115C-300 is amended by designating  
18 the present section as subsection (a) and adding a new  
19 subsection (b) to read:

20 "(b) It is the policy of the state of North Carolina  
21 to provide in-service training for public school employees.  
22 To this end, the State Board of Education shall recommend to  
23 the General Assembly not later than November 1, 1984 a  
24 program of expanded on-the-job training for public school  
25 employees. This recommendation shall include, at least,  
26 individual training goals, the level of funding and a  
27 mechanism to evaluate the results of the training efforts."

28

1           Sec. 8. G.S. 115C-302 is amended by adding a new  
2 subsection (e) to read:

3           "(e) It is the policy of the state of North Carolina  
4 to enhance the teaching profession by providing teachers  
5 with career opportunities that do not remove them from the  
6 classroom; to encourage the development and implementation  
7 of a professional salary schedule that complements the  
8 system of differentiation; to have salaries of professional  
9 educators in elementary and secondary schools based upon  
10 performance, degree attained, differentiation and the needs  
11 of the local school administrative unit; and to begin, in  
12 the school year beginning in 1987, a differential salary  
13 system based upon performance, differentiation, local  
14 availability of classroom teachers, geographical location of  
15 the employing local school administrative unit and such  
16 other factors as the local board of education shall deem  
17 necessary.

18           Performance shall be measured by standardized evalua-  
19 tions which are routinely administered pursuant to G.S.  
20 115C-326 by competent and trained administrators who have  
21 themselves demonstrated meritorious performance in the  
22 classroom. Differentiation shall be based upon superior  
23 performance over time plus other responsibilities. The  
24 needs of the local school administrative unit shall be  
25 defined by the local board of education and the funds to  
26 meet those needs shall come exclusively from the local  
27 government. Needs of the local school administrative unit  
28 over and above the standard course of study shall be defined

1 by the local board of education exclusively funded from  
2 revenues provided at the discretion of the board of county  
3 commissioners or from other local funds under the control of  
4 the local board of education.

5 Each salary may include a local variable component,  
6 determined locally and based upon the needs and condition of  
7 the local school administrative unit. This local variable  
8 component shall be paid from local revenue.

9 The State Board of Education shall develop and recom-  
10 mend to the General Assembly, not later than March 1, 1987,  
11 a differential salary system consistent with this section."

12 Sec. 9. G.S. 115C-315(b) is amended by adding a  
13 new paragraph at the end thereof to read:

14 "It is the policy of the State of North Carolina to  
15 encourage and provide for the most efficient and  
16 cost-effective method of meeting the needs of local school  
17 administrative units for non-certified support personnel.  
18 To this end, the State Board of Education shall recommend to  
19 the General Assembly by February 1, 1985 a system using  
20 factors and formulas to determine the total number of  
21 non-certified support personnel allotted to local school  
22 administrative units. The recommended system for allotting  
23 non-certified support personnel shall include the proposed  
24 state's funding obligation for these positions and shall be  
25 developed in consultation with school based support person-  
26 nel or their representatives. In addition, the Board shall  
27 consider demands placed on local school administrative units  
28 by state laws and regulations and shall determine directly

1 from employees of local school administrative units what  
2 reports are required and the attendant costs in time and  
3 money."

4 Sec. 10. G.S. 115C-326 is amended by adding a new  
5 subsection (c) to read:

6 "(c) The state Board of education shall recommend to  
7 the General Assembly by December 1, 1986 a program to remedy  
8 deficiencies and difficulties revealed through the evalua-  
9 tion process required by this section, and to develop new  
10 skills on the part of classroom teachers."

11 Sec. 11. Part 3 of Article 22 of chapter 115C of  
12 the General Statutes is amended by adding a new section to  
13 read:

14 "§115C-326.1. Differentiation of classroom teachers.

15 "(a) It is the policy of the State of North Carolina  
16 to encourage differentiation of classroom teachers. The  
17 State Board of Education shall consult with local boards of  
18 education, on a continuous and systematic basis through a  
19 process designed by the State Board to assure participation  
20 on the part of a number of local boards of various sizes  
21 throughout the state. In addition, the State Board shall  
22 consult with such other public and private agencies, organ-  
23 izations and professional organizations as it deems neces-  
24 sary to accomplish this policy. After the consultation  
25 process, the State Board shall adopt a policy defining at  
26 least five categories of differentiated staffing for class-  
27 room teachers.

28

1 "The State Board may pilot test this career growth  
2 program for classroom teachers in at least one school  
3 administrative unit in each of the eight educational dis-  
4 tricts of the State during the 1984-85, 1985-86 and/or  
5 1986-87 school year and shall recommend a system of differ-  
6 entiation to be applied consistently throughout the State  
7 beginning in the 1987-88 school year. This recommendation  
8 shall be submitted to the General Assembly on or before  
9 December 1, 1986.

10 "(b) Criteria for differentiation shall include  
11 performance and may include such other criteria as the State  
12 Board of Education deems necessary; such as degree obtained,  
13 number of subjects taught, number of classes taught, number  
14 of students taught in a school day and time in service.

15 "(c) The State Board of Education, after consultation  
16 with local boards of education, shall develop such personnel  
17 policies as are required to ensure a coherent progression  
18 through the system of differentiation by those classroom  
19 teachers who elect to participate in the system of differen-  
20 tiation. The State Board shall develop personnel policies  
21 which prevent imbalances at any level of differentiation.  
22 If there is evidence of an imbalance or abnormality in the  
23 distribution of performance evaluations administered pursu-  
24 ant to G.S. 115C-326 and/or classroom teacher differentia-  
25 tions created and administered pursuant to this section, the  
26 State Board of Education shall be empowered to review  
27 performance evaluation and staffing patterns of a local  
28 school administrative unit to ensure reasonable distribution

1 of performance evaluations and classroom teacher differenti-  
2 ations.

3 " (d) In order to enhance significantly the quality of  
4 continuing education programs for currently certified  
5 teachers, between the seventh and twelfth year of service,  
6 each classroom teacher shall be afforded twelve (12) months  
7 of sabbatical leave for self improvement at full pay less  
8 the local variable component, under the condition of three  
9 contract years of employment in the public schools of North  
10 Carolina immediately following the sabbatical period;  
11 provided, that teachers whose initial employment occurred  
12 during the period beginning with the 1968-69 school year  
13 through the 1973-74 school year, and who have been employed  
14 continuously since their initial employment, shall have the  
15 opportunity to apply for twelve (12) months of sabbatical  
16 leave during the first three years of the program.

17 " (e) Notwithstanding the above, teachers employed  
18 under the system of employment for public school teachers,  
19 G.S. 115C-325, in effect prior to ratification of this act,  
20 shall be afforded the opportunity to elect to continue under  
21 the system of employment provided in G.S. 115C-325 and  
22 continuing under the salary schedule in existence at that  
23 time. They shall have the alternative of electing to change  
24 their conditions of employment to come within the system  
25 outlined in this section. This election shall be made on or  
26 before signing employment contracts for the 1988-89 school  
27 year. Employees whose initial contracts are for the 1987-88

28

1 or subsequent school years shall be employed under the  
2 employment system contained in this section.

3 Sec. 12. The functions of the Personnel Adminis-  
4 tration Commission for Public School Employees are trans-  
5 ferred to the State Board of Education and Part 4 of Article  
6 22 of the General Statutes, including G.S. 115C-327, 328 and  
7 329, is repealed.

8 Sec. 13. G.S. 115C-408 is amended by designating  
9 the present section as subsection (a) and adding a new  
10 subsection (b) to read:

11 "(b) To insure a quality education for every child in  
12 North Carolina, and to assure that the necessary resources  
13 are provided, it is the policy of the State of North Caroli-  
14 na to provide from State revenue sources all instructional  
15 expenses for current operations of the public school system  
16 as defined in the standard course of study adopted by the  
17 General Assembly of North Carolina.

18 "It is the general policy of the State of North Caroli-  
19 na that the facilities requirements for a public education  
20 system will be met by county governments.

21 "It is the intent of the 1983 General Assembly to  
22 further clarify and delineate the specific financial respon-  
23 sibilities for the public schools to be borne by State and  
24 local governments."

25 Sec. 14. Article 18 of Chapter 116 of the General  
26 Statutes is amended by adding a new section at the beginning  
27 of the Article to read:

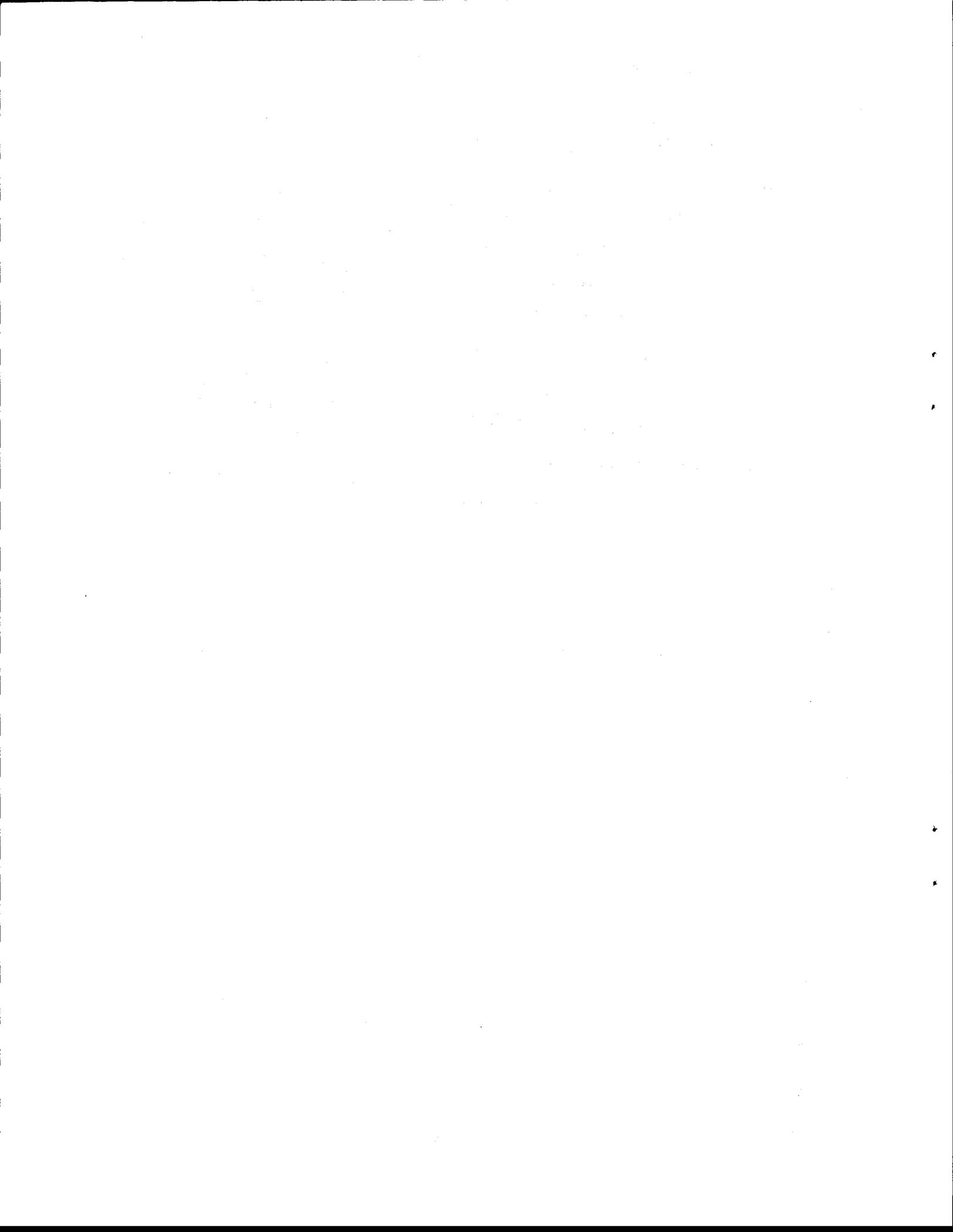
28 "§116-170.1. State policy.

1 "It is the policy of the state of North Carolina to  
2 encourage entry into the teaching profession by those who  
3 are prepared to teach in those areas where teachers are most  
4 needed. To this end, the State Board of Education shall  
5 recommend to the General Assembly by November 1, 1984 a  
6 method of providing loan and scholarship assistance to  
7 prospective teachers in areas of anticipated shortage.

8 "This recommendation shall include, at least, the  
9 anticipated needs, the level of funding and a mechanism to  
10 evaluate the results of the program."

11 Sec. 15. This act is effective upon ratification.

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INTRODUCED BY:

Referred to:

1

A BILL TO BE ENTITLED

2

AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE RECOMMENDATIONS

3

OF THE PUBLIC EDUCATION POLICY COUNCIL.

4

The General Assembly of North Carolina enacts:

5

6

Section 1. There is appropriated from the General

7

Fund to the Department of Public Education the sum of six

8

million one hundred fifty four thousand, four hundred

9

ninety seven dollars (\$6,154,497) for fiscal year 1984-85 to

10

help eliminate inequities resulting from declining enroll-

11

ment in certain local school administrative units. Funds

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allotted on the basis of average daily membership shall be

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allotted on the basis of average daily membership in the

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best continuous three of the first four months of school in

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the previous school year or on the basis of the projected

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best continuous three of the first four months in the

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present school year, whichever is greater.

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Sec. 2. There is appropriated from the General

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Fund to the Department of Public Education the sum of three

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million six hundred fourteen thousand dollars (\$3,614,000)

21

for fiscal year 1984-85 to increase high school textbook

22

allotments from nine dollars (\$9.00) per average daily

23

membership to twenty dollars (\$20.00) per average daily

24

membership.

1           Sec. 3. There is appropriated from the General  
2 Fund to the Department of Public Education the sum of three  
3 million five hundred fifty thousand dollars (\$3,550,000) for  
4 fiscal year 1984-85 to fund the position of school finance  
5 officer, required by G.S. 115C-435, in each school adminis-  
6 trative unit in North Carolina. Prior to allotment of these  
7 funds to an individual school administrative unit, the  
8 Department shall determine that the school finance officer,  
9 including any person who might previously have been desig-  
10 nated school finance officer, has met the standards and  
11 criteria for the position which have been adopted by the  
12 State Board of Education.

13           Sec. 4. There is appropriated from the General  
14 Fund to the Department of Public Education the sum of two  
15 million one hundred eighty five thousand five hundred fifty  
16 six dollars (\$2,185,556) for fiscal year 1984-85 to fully  
17 fund the position of maintenance supervisor in each school  
18 administrative unit in the state. Prior to allotment of  
19 these funds to an individual school administrative unit, the  
20 Department shall determine that the individual filling the  
21 position of maintenance supervisor in that school adminis-  
22 trative unit has met requirements and standards of compe-  
23 tence adopted by the State Board of Education.

24           Sec. 5. There is appropriated from the General  
25 Fund to the Department of Public Education the sum of thirty  
26 six million thirty four thousand six hundred twenty dollars  
27 (\$36,034,620) for fiscal year 1984-85 for the purpose of  
28 assuming full funding by the State of the local matching

1 requirement for the Federal Vocational Education Act in  
2 1984-85.

3 Sec. 6. This act is effective July 1, 1984.  
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